

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Aus. 1.

AWC No. 2308

Accused: Sgt/Maj HIDANO Yoshiteru

Aust W.C. List⁵ Ser No. Serial 834

Court, Place, WEWAK, NEW GUINEA
Date and 11 Dec 45
Formation: First Aust Army

Charge(s)	Plea	Finding
(1) <u>MURDER</u> in that he at KUNJAMA in or about Jan 45 murdered a New Guinea native name unknown.	Not guilty	Not guilty
(2) <u>CANNIBALISM</u> in that he at KUNJAMA in or about Jan 45 ate portion of the body of a New Guinea native, name unknown.	Not guilty	Not guilty

Precis of Evidence: Jemedar Chint Singh of 2/12 Frontier Force, Indian Army, tendered a written statement made to him by Pte JOGINDAR SINGH (deceased) stating that the said Pte Jogindar Singh saw a native (name unknown) tied to a tree for refusing to hand over a pig to the Japanese and shot by a Sgt KHANADA under orders of a Capt AJANASHI, both being members of a Japanese Anti-Aircraft Searchlight Unit at NANGAGUA (Wewak Area, New Guinea) in early 1945. Also that the flesh of the native was later eaten by Sgt KHANADA and other Japanese members of the Unit. This statement was admitted in evidence. This witness gave evidence of the circumstances of his taking the statement. Other evidence was given of the phonetic rendering of Japanese names and ranks and as to the units and individuals in the area at the time of the alleged crime. The evidence given did not show a direct connection between the name "Khanada" given by Pte Jogindar Singh and the name of accused. The accused gave evidence on his own behalf denying the charges and denying that he had even heard of the murder of a native as he was sick with cerebral malaria at the time. JEMADAR CHINT SINGH, recalled, reiterated the names given by JOGINDAR SINGH as originally stated, and further stated that although the accused was close by during the making of the statement he was not directly indicated by JOGINDAR SINGH as the guilty party.

Sentence Not guilty of both charges
and Date: 11 Dec 45

Confirmation and by Whom: Not applicable

Promulgation: --

Petition: --

J.A.G.'s Report on Petition: --

Action on Petition: --

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL/AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans. 3.

AWC No. *821*

Accused: S/Maj SUGINO, Tsuruo

Aust W.C. List Ser No.

Court, Place, LABUAN
Date and 4 Dec 45
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
<u>First charge:</u> MASSACRE of approx 36 prisoners at or near 5 mile Riam Rd near MIRI in SARAWAK on or about 10 Jun 45.	Not Guilty	Guilty
<u>Second charge:</u> MASSACRE of approx 15 prisoners at or near 5 miles Riam Rd near MIRI in SARAWAK on or about 10 Jun 45.	Not Guilty	Guilty.

Precis of Evidence: Early in Jun 1945 the Allied Fleet was approaching NORTH BORNEO and S/Maj SUGINO, Tsuruo was in charge of approx 51 PW at Cape LOBANG. The accused alleged that he received instructions from Lt. NISHIMURA to take the PW inland along the Riam Rd and dispose of them. Having marched some little distance up the Riam Rd at or near the 5½ mile the accused ordered the shooting of approx 36 PW and then at or near the 5 mile Riam Rd with reinforcement of approx 9 men from Nishimura Tai ordered the 15 strongest men of the PW who had been carrying food, to be killed by shooting and bayonetting. The accused pleaded that he acted under orders and refusal would have been punishable by death.

Sentence
and Date: TO SUFFER DEATH BY BEING SHOT
4 Dec 45

Confirmation
and by Whom: Finding and Sentence confirmed by Acting C-in-C - 26 Feb 46.

Promulgation: *Confirmation of finding and sentence promulgated to accused on 5 Mar 46
Accused executed by shooting on 6 Mar 46*

Petition: Submitted 13 Dec 45 against Finding and Sentence of the Court.

J.A.G.'s Report on Petition: That the finding and sentence be confirmed.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Capt MISUMI, Michiaki
Sup Pte GOTO, Siataro

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 7, 8, 13 Dec 45
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
Murder of a prisoner of war about 23 Mar 45 at BEO in the TALAUD ISLANDS.	Not Guilty	Guilty

Precis of Evidence: Four airmen crashed vicinity BEO and were taken prisoner of war by Japanese. The Colonel in charge of the Jap tps decided four men were to be executed. No trial or legal proceedings to convict them of an offence was held. Decided at conference of officers that execution would take place at formal parade. Following presentation of colours of 23 Mar 45 details of four Coys were formed up on execution ground. One prisoner was handed over to each Coy for execution. Each prisoner was blindfolded and tied to a large cross. Each Coy Comd called out a man from the ranks who came to attention in front of the prisoner. The offr in comd of the Coy gave the orders "Fix Bayonets", "Prepare to Lunge" "Lunge" when the man bayonetted the prisoner in the heart. The prisoner was untied and buried. Capt MISUMI was in comd of one Coy and personally gave the comd to Pte GOTO Siataro to carry out the execution. The execution was carried out under direct order of Col Koba the senior offr on the Is through Maj TAMURA the offr in immediate comd of the tps.

Sentence and Date: Accused MISUMI - TO SUFFER DEATH BY SHOOTING - 13 Dec 45
Accused GOTO - TO BE IMPRISONED FOR 10 YRS - 13 Dec 45.

Confirmation and by Whom: Confirmed by Acting C-in-C and warrant in case of MISUMI signed 12 Feb 46.

Promulgation: *Confirmation of findings and sentences promulgated to the accused on 5 Mar 46. Accused MISUMI executed by shooting on 6 MAR 46*

Petition: Lodged 17 Dec by both accused against finding and sentence of the Court.

J.A.G.'s Report on Petition: That the finding and sentence be confirmed in the case of accused MISUMI. Punishment respecting accused too severe, in fact suggest that no punishment be made as he had no option but to carry out order.

Action on Petition: Petition respecting accused MISUMI dismissed. Petition respecting GOTO in relation to sentence only upheld.

Filed in Attorney-General's Department and Numbered.....

AUSTRALIAN MILITARY FORCES

DPW(AG13(2a))/WMcL /AR.

AAF A117(a)
(Introduced Jan 46)
HQ AMF Use Only

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans. 4.

AWC No.

Accused: Capt MISUMI, Michiaki
Sup Pte GOTO, Siataro

Aust W.C. List Ser No.

Court, Place, MOROTAI
Date and 7, 8, 13 Dec 45
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
Murder of a prisoner of war about 23 Mar 45 at BEO in the TALAUD ISLANDS.	Not Guilty	Guilty

Precis of Evidence: Four airmen crashed vicinity BEO and were taken prisoner of war by Japanese. The Colonel in charge of the Jap tps decided four men were to be executed. No trial or legal proceedings to convict them of an offence was held. Decided at conference of officers that execution would take place at formal parade. Following presentation of colours of 23 Mar 45 details of four Coys were formed up on execution ground. One prisoner was handed over to each Coy for execution. Each prisoner was blindfolded and tied to a large cross. Each Coy Comd called out a man from the ranks who came to attention in front of the prisoner. The offr in comd of the Coy gave the orders "Fix Bayonets", "Prepare to Lunge" "Lunge" when the man bayoneted the prisoner in the heart. The prisoner was untied and buried. Capt MISUMI was in comd of one Coy and personally gave the comd to Pte GOTO Siataro to carry out the execution. The execution was carried out under direct order of Col KOBA the senior offr on the Is through Maj TAMURA the offr in immediate comd of the tps.

Sentence and Date: Accused MISUMI - TO SUFFER DEATH BY SHOOTING - 13 Dec 45
Accused GOTO - TO BE IMPRISONED FOR 10 YRS - 13 Dec 45.

Confirmation and by Whom: Confirmed by Acting C-in-C and warrant in case of MISUMI signed 12 Feb 46.

Promulgation: *Confirmation of finding and sentence promulgated to the accused on 5 Mar 46. Accused MISUMI executed by shooting on 6 MAR 46*

Petition: Lodged 17 Dec by both accused against finding and sentence of the Court.

J.A.G.'s Report on Petition: That the finding and sentence be confirmed in the case of accused MISUMI. Punishment respecting accused too severe, in fact suggest that no punishment be made as he had no option but to carry out order.

Action on Petition: Petition respecting accused MISUMI dismissed. Petition respecting GOTO in relation to sentence only upheld.
Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

Ans. 5

173
Guards MATSUMOTO, Hideo L/Cpl MAEKAWA, Harukichi
" YOKOYAMA, Nobuo " KANEKO, Masumi AWC No. 476, 866, 796, 854
" NANGO, Hiroshi Navy " YAMADA, Tokuichi 768, 745, 855, 735, 811, 729
" YAMADA, Yoshimasa 1st Ptes IGAWA (IKAWA) Kichizaemon 762, 761, 731, 793, 779
Accused: " SASAI, Shinzaburo Aust W.C. List Ser No.....
" HIROTOMI, Asao
Court, Place, LABUAN " KOMAKI, Kiyomatsu
Date and 8 Dec 45 " KOIZUMI, Jisaku
Formation: 9 Aust Div " HODOSHIMA, Namiiji
" NAKAMURA Hiroshi (not guilty)
" MIURA Wataru (not guilty)
Charge(s) Plea Finding

Massacre
at or near 5 Miles RIAM Rd in
SARAWAK on or about 10 Jun 45

Not
Guilty

Guilty

Precis of Evidence: Sgt/Maj SUGINO in comd of Jap prisoner of war guards who had in custody some 51 Allied PW. Early in Jun 45 the Allied Fleet was approaching NORTH BORNEO and instructions were given that SUGINO remove his PW inland and according to him, "Dispose" of them. Having marched some little distance along the RIAM RD, SUGINO decided to massacre the PW. SUGINO had some nine members in his guard. He applied to a neighbouring Unit for reinforcements who arrived 10 Jun and joined up with SUGINO at or near the 5 mile RIAM Rd, where there were some 15 Allied PW - the strongest of the 51 that SUGINO had in charge. These men were resting while carrying supplies of food inland. Upon arrival of the reinforcements Sgt/Maj Sugino gave orders that the 15 men were to be massacred. This was carried out by shooting and bayonetting.

Evidence was given that under Jap Military Law the disobedience of an order such as given by Sugino to these men, was punishable by death; also evidence that some of the men were threatened with physical violence when they objected to carrying out the order to bayonet the wounded men.

Sentence
and Date: To suffer death by being shot
8 Dec 45

Confirmation
and by Whom: Finding confirmed and sentence mitigated to ten (10) years imprisonment with hard labour by Acting C-in-C - 16 Feb 46

Promulgation: Confirmation of finding and sentences promulgated by bench on 31 Jan 46

Petition: Submitted 14 Dec 45 against Finding and Sentence of the Court

J.A.G.'s Report on Petition: That the Finding be confirmed
That the sentence be mitigated to imprisonment for 10 years

Action on Petition: Upheld in so far as sentences concerned

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL/AR.

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

Guards	MATSUMOTO, Hideo	L/Cpl	MAEKAWA, Harukichi	
"	YOKOYAMA, Nobuo	"	KANEKO, Masumi	
"	NANGO, Hiroshi Navy	"	YAMADA, Tokuchichi	AWC No.....
"	YAMADA, Yoshimasa	1st Ptes	IGAWA (IKAWA) Kichigaemon	
Accused:		"	SASAI, Shinzaburo	Aust W.C. List Ser No.....
		"	HIROTORI, Asao	
Court, Place,	LABUAN	"	KOMAKI, Kiyomatsu	
Date and	8 Dec 45	"	KOIZUMI, Jisaku	
Formation:	9 Aust Div	"	HODOSHIMA, Namiji	
		"	NAKAMURA Hiroshi (not guilty)	
		"	MIURA Wataru (not guilty)	
Charge(s)			Plea	Finding

Massacre
at or near 5 miles Riam Rd in
SARAWAK on or about 10 Jun 45

Not
Guilty

Guilty

Precis of Evidence: Sgt/Maj SUGINO in comd of Jap prisoner of war guards who had in custody some 51 Allied PW. Early in Jun 45 the Allied Fleet was approaching NORTH BORNEO and instructions were given that SUGINO remove his PW inland and according to him, "Dispose" of them. Having marched some little distance along the RIAM RD, SUGINO decided to massacre the PW. SUGINO had some nine members in his guard. He applied to a neighbouring Unit for reinforcements who arrived 10 Jun and joined up with SUGINO at or near the 5 mile RIAM Rd, where there were some 15 Allied PW - the strongest of the 51 that SUGINO had in charge. These men were resting while carrying supplies of food inland. Upon arrival of the reinforcements Sgt/Maj Sugino gave orders that the 15 men were to be massacred. This was carried out by shooting and bayonetting. Evidence was given that under Jap Military Law the disobedience of an order such as given by Sugino to these men, was punishable by death; also evidence that some of the men were threatened with physical violence when they objected to carrying out the order to bayonet the wounded men.

Sentence
and Date: To suffer death by being shot
8 Dec 45

Confirmation
and by Whom: Finding confirmed and sentence mitigated to ten(10) years imprisonment with hard labour by Acting C-in-C - 16 Feb 46

Promulgation: Confirmation of finding and sentences promulgated to each accused on 31 Jan 46

Petition: Submitted 14 Dec 45 against Finding and Sentence of the Court

J.A.G.'s Report on Petition: That the Finding be confirmed
That the sentence be mitigated to imprisonment for 10 years

Action on Petition: Upheld in so far as sentences concerned

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: HIROTA Seiichi
KANASHIGE Shokichi (Masayoshi)
FUJIKAWA Tetsuo
HIRAYAMA Hideo
NAKAYAMA Kenichi
KAWAMURA Teruhoshi
UMEMURA Susumu

Court, Place, Date and Formation: LABUAN
8 DEC 45
9 AUST DIV

Charge(s)

Plea

Finding

728, 748, 704, 725,
AWC No. 795, 752, 848
Aust W.C. List Ser No.

Charge(s)	Plea	Finding
Massacre at or near 5 mile RIAM Rd in SARAWAK on or about 10 Jun 45	NOT GUILTY	GUILTY

Precis of Evidence: Sgt/Maj SUGINO in comd of Jap prisoner of war guards who had in custody some 51 Allied PW. Early in Jun 45 the Allied Fleet was approaching NORTH BORNEO and instructions were given that SUGINO remove his PW inland and, according to him, "Dispose" of them. Having marched some little distance along the RIAM RD, SUGINO decided to massacre the PW. SUGINO had some nine members in his guard. He applied to a neighbouring Unit for reinforcements who arrived 10 Jun and joined up with SUGINO at or near the 5 mile RIAM road, where there were some 15 Allied PW-the strongest of the 51 that SUGINO had in charge. These men were resting while carrying supplies of food inland. Upon arrival of the reinfnts Sgt/Maj SUGINO gave orders that the 15 men were to be massacred. This was carried out by shooting and bayonetting, and has been the subject of another trial. Then under the orders of SUGINO the above accused took part in this massacre of the remaining Allied PW to the number of about 31. Evidence was given that under Jap Military Law the disobedience of an order such as given by SUGINO to these men, was punishable by death; also

Sentence To suffer death by
and Date: being shot.
8 DEC 45

evidence that some of the men were threatened with physical violence when they objected to carrying out the order to bayonet the wounded men.

Confirmation Finding confirmed and sentence mitigated to ten (10) years
and by Whom: imprisonment with hard labour, by A/C-in-C. 16 Feb 46

Promulgation: Confirmation of finding & sentence promulgated to each accused on 31 Jan 46

Petition: Submitted 14 Dec 45 against Finding and Sentence of the Court.

J.A.G.'s Report on Petition: That the Finding be confirmed.
That the Sentence be mitigated to imprisonment for 10 years.

Action on Petition: Upheld in so far as sentence concerned.

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Accused: HIROTA Seiichi
KANASHIGE Shokichi (Masayoshi)
FUJIKAWA Tetsuo
HIRAYAMA Hideo
NAKAYAMA Kenichi
KAWAMURA Teruhoshi
UMEMURA Susumu

AWC No.....
Aust W.C. List Ser No.....

Court, Place, Date and Formation: LABUAN
8 DEC 45
9 AUST DIV

Charge(s)	Plea	Finding
Massacre at or near 5 miles RIAM RD in SARAWAK on or about 10 Jun 45	NOT GUILTY	GUILTY

Precis of Evidence: Sgt/Maj SUGINO in comd of Jap prisoner of war guards who had in custody some 51 Allied PW. Early in Jun 45 the Allied Fleet was approaching NORTH BORNEO and instructions were given that SUGINO remove his PW inland and, according to him, "Dispose" of them. Having marched some little distance along the RIAM RD, SUGINO decided to massacre the PW. SUGINO had some nine members in his guard. He applied to a neighbouring Unit for reinforcements who arrived 10 Jun and joined up with SUGINO at or near the 5 mile RIAM Road, where there were some 15 Allied PW - the strongest of the 51 that SUGINO had in charge. These men were resting while carrying supplies of food inland. Upon arrival of the reinforcements Sgt/Maj SUGINO gave orders that the 15 men were to be massacred. This was carried out by shooting and bayonetting, and has been the subject of another trial. Then under the orders of SUGINO the above accused took part in this massacre of the remaining Allied PW to the number of about 31. Evidence was given that under Jap Military Law the disobedience of an order such as given by SUGINO to these men, was punishable by death; also evidence that some of the men were threatened with physical violence when they objected to carrying out the order to bayonet the wounded men.

Sentence and Date: To suffer death by being shot.
8 DEC 45

Confirmation and by Whom: Finding confirmed and sentence mitigated to ten(10) years imprisonment with hard labour, by A/C-in-C. 16 Feb 46

Promulgation: *Confirmation of finding & sentence promulgated to each accused on 31 Jan 46*

Petition: Submitted 14 Dec 45 against Finding and Sentence of the Court.

J.A.G.'s Report on Petition: That the Finding be confirmed.
That the Sentence be mitigated to imprisonment for 10 years.

Action on Petition: Upheld

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

11.5
Ans. 7.

AWC No. 2308

Accused: Sgt/Maj HIDANO Yoshiteru

5
Aust W.C. List Ser No. Serial 834

Court, Place, WEWAK NEW GUINEA
Date and 11 Dec 45
Formation: First Aust Army

Charge(s)	Plea	Finding
(1) <u>MURDER</u> in that he at KUNJAMA in or about Jan 45 murdered a New Guinea native name unknown.	Not Guilty	Not guilty
(2) <u>CANNIBALISM</u> in that he at KUNJAMA in or about Jan 45 ate portion of the body of a New Guinea native, name unknown.	Not Guilty	Not guilty

Precis of Evidence: Jemedar Chint Singh of 2/12 Frontier Force, Indian Army, tendered a written statement made to him by Pte JOGINDAR SINGH (deceased) stating that the said Pte Jogindar Singh saw a native (name unknown) tied to a tree for refusing to hand over a pig to the Japanese and shot by a Sgt KHANADA under orders of a Capt AJANASHI, both being members of a Japanese Anti-Aircraft Searchlight Unit at NANGAGUA (Wewak Area, New Guinea) in early 1945. Also that the flesh of the native was later eaten by Sgt KHANADA and other Japanese members of the Unit. This statement was admitted in evidence. This witness gave evidence of the circumstances of his taking the statement. Other evidence was given of the phonetic rendering of Japanese names and ranks and as to the units and individuals in the area at the time of the alleged crime. The evidence given did not show a direct connection between the name "Khanada" given by Pte Jogindar Singh and the name of accused. The accused gave evidence on his own behalf denying the charges and denying that he had even heard of the murder of a native as he was sick with cerebral

Sentence Not guilty of both
and Date: charges
11 Dec 45

malaria at the time. JEMADAR CHINT SINGH, recalled, reiterated the names given by JOGINDAR SINGH as originally stated, and further stated that although the accused was close by during the making of the statement he was not directly indicated by JOGINDAR SINGH as the guilty party.

Confirmation Not applicable
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2308

Accused: Sgt/Maj HIDANO Yoshiteru

Aust W.C. List Ser No. 5 Serial 834

Court, Place, WEWAK NEW GUINEA
Date and 11 Dec 45
Formation: First Aust Army

Charge(s)	Plea	Finding
(1) <u>MURDER</u> in that he at KUNJAMA in or about Jan 45 murdered a New Guinea native name unknown.	Not Guilty	Not guilty
(2) <u>CANNIBALISM</u> in that he at KUNJAMA in or about Jan 45 ate portion of the body of a New Guinea native, name unknown.	Not Guilty	Not guilty

Precis of Evidence: Jemedar Chint Singh of 2/12 Frontier Force, Indian Army, tendered a written statement made to him by Pte JOGINDAR SINGH (deceased) stating that the said Pte Jogindar Singh saw a native (name unknown) tied to a tree for refusing to hand over a pig to the Japanese and shot by a Sgt KHANADA under orders of a Capt AJANASHI, both being members of a Japanese Anti-Aircraft Searchlight Unit at NANGAGUA (Wewak Area, New Guinea) in early 1945. Also that the flesh of the native was later eaten by Sgt KHANADA and other Japanese members of the Unit. This statement was admitted in evidence. This witness gave evidence of the circumstances of his taking the statement. Other evidence was given of the phonetic rendering of Japanese names and ranks and as to the units and individuals in the area at the time of the alleged crime. The evidence given did not show a direct connection between the name "Khanada" given by Pte Jogindar Singh and the name of accused. The accused gave evidence on his own behalf denying the charges and denying that he had even heard of the murder of a native as he was sick with cerebral

Sentence Not guilty of both
and Date: charges
11 Dec 45

malaria at the time. JEMADAR CHINT SINGH, recalled, reiterated the names given by JOGINDAR SINGH as originally stated, and further stated that although the accused was close by during the making of the statement he was not directly indicated by JOGINDAR SINGH as the guilty party.

Confirmation Not applicable
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2308

Accused: Sgt/Maj HIDANO Yoshiteru

5
Aust W.C. List Ser No. Serial 834

Court, Place, WEWAK NEW GUINEA
Date and 11 Dec 45
Formation: First Aust Army

Charge(s)	Plea	Finding
(1) <u>MURDER</u> in that he at KUNJAMA in or about Jan 45 murdered a New Guinea native name unknown.	Not Guilty	Not guilty
(2) <u>CANNIBALISM</u> in that he at KUNJAMA in or about Jan 45 ate portion of the body of a New Guinea native, name unknown.	Not Guilty	Not guilty

Precis of Evidence: Jemadar Chint Singh of 2/12 Frontier Force, Indian Army, tendered a written statement made to him by Pte JOGINDAR SINGH (deceased) stating that the said Pte Jogindar Singh saw a native (name unknown) tied to a tree for refusing to hand over a pig to the Japanese and shot by a Sgt KHANADA under orders of a Capt AJANASHI, both being members of a Japanese Anti-Aircraft Searchlight Unit at NANGAGUA (Wewak Area, New Guinea) in early 1945. Also that the flesh of the native was later eaten by Sgt KHANADA and other Japanese members of the Unit. This statement was admitted in evidence. This witness gave evidence of the circumstances of his taking the statement. Other evidence was given of the phonetic rendering of Japanese names and ranks and as to the units and individuals in the area at the time of the alleged crime. The evidence given did not show a direct connection between the name "Khanada" given by Pte Jogindar Singh and the name of accused. The accused gave evidence on his own behalf denying the charges and denying that he had even heard of the murder of a native as he was sick with cerebral

Sentence Not guilty of both
and Date: charges
11 Dec 45

malaria at the time. JEMADAR CHINT SINGH, recalled, reiterated the names given by JOGINDAR SINGH as originally stated, and further stated that although the accused was close by during the making of the statement he was not directly indicated by JOGINDAR SINGH as the guilty party.

Confirmation Not applicable
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: L/Cpl OKUMURA Rehei
Sgt/Maj INAGAKI, Masaru
Cpl YAMADA, Uichi

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 13-18 Dec 45.
Formation: 11 Aust Div

Charge(s)	Plea	Finding
MURDER about Oct 44 at MASSOWA plantation	Not Guilty	Guilty

Precis of Evidence: Sgt/Maj INAGAKI, Masaru was in charge of a small Section of M.P. about Oct 44 at MASSOWA 2/3 days travel from Rabaul. The Sec included Cpl YAMADA Uichi and L/Cpl OKUMURA, Rehei. Acting on information received from a native he arrested a Chinaman known to him as Woo Chin Kiang and questioned him regarding possession of dynamite and offences by natives Yamada was present and periodically OKUMURA was present at the questioning of the Chinaman. As a result Inagaki sent written report to M.P. HQ Rabaul and received orders from Col Kikuchi that the Chinese was to be killed. No method of execution was laid down but the usual method adopted by the Jap Army is shooting. Kikuchi admitted that the Chinaman had received no trial. Inagaki stated usual procedure was to send a letter applying for a Court Martial but the Chinaman was not given a court martial owing to distance from Rabaul and other difficulties. The Chinaman was taken by Okumura to where a hole had been dug by a native boy. Yamada was present. The Chinaman was blindfolded by Yamada and made to kneel by the hole.

Sentence TO SUFFER DEATH
and Date: BY HANGING.

Inagaki drew sword and beheaded Chinaman with one blow. Native boys filled in the hole and were told that if they talked to other boys about this, their heads would be cut off. No evidence was given by L/Cpl OKUMURA R. or Yamada U.

Confirmation and by Whom: Finding and sentences confirmed by Acting C-in-C, - 15 Feb 46.

Promulgation:

Petition: Submitted 30 Dec 45 against Finding and Sentence of the Court.

J.A.G.'s Report on Petition: That the finding and Sentence be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered:.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 11.

Accused: Sup Pte SUSUKI, Asamasa
Lt ASAOKA, Toshio (Not Guilty)
Pte OICHI, Tsuchi)

AWC No.....

Aust W.C. List Ser No.....

Court, Place, Date and Formation: MOROTAI
13 Dec 45
MOROTAI FORCE

Charge(s)	Plea	Finding
Murder of a prisoner of war about 23 Mar 45 at BEO in the TALAUD Is.	Not Guilty	Guilty

Precis of Evidence: Four airmen crashed either on the island referred to or close ~~there to~~ and taken prisoner of war by Japs. The Colonel in charge of Jap tps on the Island alleges that as a result of orders received from higher command he decided the four airmen were to be executed. No trial or legal proceedings to convict them of an offence was held. On 23 Mar 45 at conclusion of presentation of colours which had been received from the Japanese Emperor, details of four Coys of the Bn were marched some little distance to what has been referred to as the execution ground. These Coys were formed up separately under their respective officers and one prisoner handed over to each Coy for execution. A large cross was erected in front of each Coy and the prisoner blindfolded and tied to the cross facing the Coy. Each Coy Comd then called out a man from the ranks who came to attention in front of the prisoner. The Officer in command of each Coy gave the orders "Fix Bayonets," "Prepare to Lunge," "Lunge", when the man bayoneted the prisoner of war in the heart. ~~The prisoner was then untied~~ and buried.

Sentence and Date: ^{conceded} Both accused - to be imprisoned for 10 years.
13 Dec 45

Capt IWASA was in command of one company and personally gave the commands to Ptes SUSUKI and OICHI to carry out the execution. The whole parade and executions were carried out at the direct orders of Col KOBA, the senior offr on the Island through Major TAMURA, the officer in immediate command of the troops.

Confirmation and by Whom: Finding confirmed and sentences mitigated to imprisonment for five(5) yrs by Acting C-in-C.

Promulgation:

Petition

Submitted 17 Dec 45 against finding and sentence of the Court.

Petition:

Promulgation: - Confirmation of finding and sentence promulgated to accused on 11 Feb 46

J.A.G.'s Report on Petition: That the Finding be confirmed. That the sentences of 10 yrs should be much reduced and suggests that in the case no punishment should be imposed.

Action on Petition:

Upheld. Sentences reduced to 5 years imprisonment.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: W.O. MATSUMOTO, Toraturo(Also charged Aust W.C. List Ser No.....

Same time same court

Court, Place, RABAU

Date and 12 Dec 45

Formation: 11 Aust Div

Sgt/Maj INAGAKI Masaku(Not Guilty)

Charge(s)	Plea	Finding
TORTURING at RABAU on or about Apr-Jun 43	Not Guilty	Guilty

Precis of Evidence: About the end of Apr 43 civilians were brought in for questioning at RABAU and included six referred to in the six separate charges against accused. There is evidence that:

On the first charge the accused was present when witness was beaten with timber and whip. All soldiers saluted accused.

On the second charge - the accused was in charge of the party and present at the beatings but not clear whether he carried out the beatings or was present when witness was made to drink a large quantity of water or when a stick was placed across back of legs and Japs stood on it.

On the third charge - the witness was flogged with a stingray tail, toes hammered and red hot needles driven under finger nails. The accused was in charge at the HQ but no statement whether he was present directed or took part in acts of torture.

On the fourth charge - the accused, when questioning witness, stamped his face into ground 15-20 minutes and beaten with timber. Two days later beaten 47 times with stingray tail and later again 20 times (over)

Sentence and Date:
To be imprisoned for life
11 Dec 45

Confirmation Finding confirmed and sentence
and by Whom: mitigated to 10 years imprisonment

Promulgation:

Petition: Submitted 25 Dec 45 against Finding
and severity of the sentence.

J.A.G.'s Report on Petition: Suggests petition may be favourably considered and that imprisonment for 12 months might be sufficient sentence.

Action on Petition:
Upheld.

Filed in Attorney-General's Department and Numbered.....

Precis(Contd)

- 2 -

with tail, 9 times on head with timber. Also given "stick" torture and rendered unconscious. On the fifth charge - the accused, when questioning witness, beat him with wood and made him drink 8 saki bottles of water - corroborated by another witness. On the sixth charge - when witness being questioned third time, accused and five others beat him with fists and sticks until he was unscious. Accused denied responsibility for beatings or tortures but admitted being present during some of them and of hearing screaming through torturing, but was not allowed to stop it. States not in charge of HQ when he heard sounds of torture. Blames KAMADADA, a subordinate of the accused, for the idea of torutre and its execution.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Capt IWASA, Tokio

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 13 Dec 45
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
Murder of a prisoner of war about March 1945 in the TALAUD Islands	Not Guilty	Guilty

Precis of Evidence: Four airmen crashed either on the island referred to or close thereto and taken prisoner of war by Japs. The Colonel in charge of Jap tps on the island alleges that as a result of orders received from higher command he decided the four airmen were to be executed. No trial or legal proceedings to convict them of an offence was held. On 23 Mar 45 at conclusion of presentation of colours which had been received from the Japanese Emperor, details of four Coys of the Bn were marched some little distance to what has been referred to as the execution ground. These Coys were formed up separately under their respective ofrs and one prisoner handed over to each Coy for execution. A large cross was erected in front of each Coy and the prisoner blindfolded and tied to the cross facing the Coy. Each Coy Comd then called out a man from the ranks who came to attention in front of the prisoner. The ofr in command of each Coy gave the orders "Fix Bayonets", "Prepare to Lunge", "Lunge" when the man bayoneted the prisoner of war in the heart. The prisoner was then untied and buried.

Sentence To suffer death by shooting
and Date: 13 Dec 45

Capt IWASA was in command of one Coy and personally gave the command to Ptes SUSUKI and OICHI to carry out the execution. The whole parade and executions were carried out at the direct orders of Col KOBA the senior ofr on the Island through Major TAMURA, the ofr in immediate command of the tps.

ConfirmationConfirmed by Acting C-in-C and
and by Whom: warrant signed 12 Feb 46.

Promulgation: Confirmation of finding and sentence from 12 Feb 46 to 5 Mar 46. Accused executed on 6 MAR 46 by shooting

Petition: Submitted 17 Dec 45 against the finding and sentence of the court.

J.A.G.'s Report on Petition: That the finding and sentence be confirmed

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 12

AWC No.....

Accused: Lt TANAKA, Seizo
Pte FUJISAKI, Masao

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 13 Dec 45
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
Murder of a prisoner of war about 23 Mar 45 at BEO in the TALAUD IS.	Not Guilty	Guilty

Precis of Evidence: Four airmen crashed on or close to Island referred to and taken prisoners. The Col in charge Jap tps on the Island alleges that as result of orders received from higher comd he decided our airmen were to be executed. No trial or legal proceedings to convict them of an offence was held. At conference of offrs order for execution was announced and it was decided that it would take place on a formal pde. On 23 Mar 45 following presentation of colours details of four Coys of the Bn were formed up on execution ground under their respective offrs and one prisoner handed over to each Coy. A large cross had been erected and a grave was dug, the prisoner blindfolded and tied to the cross. Each Coy Comd then called out a man from the ranks, who came to attention in front of the prisoner. The Coy Comd then gave the order "Fix Bayonets" "Prepare to Lunge," "Lunge" when the man bayoneted the prisoner in the heart. The prisoner was untied and buried. Lt TANAKA was in comd of one of the above Coys and personally gave the command to Pte FUJISAKI to carry out the execution. The whole pde and execution was carried out at direct orders of Col Koba, the senior offr.

Sentence and Date: Accused TANAKA - to suffer death by shooting. on the island through Maj TAMURA the offr in immediate comd of the tps.
13 Dec 45
Accused FUJISAKI - TO BE IMPRISONED FOR 10 YEARS - 13 Dec 45

Confirmation and by Whom: Finding and sentence respecting accused TANAKA.—Confirmed by Acting C-in-C and warrant signed 12 Feb 46. Finding confirmed in the case of accused FUJISAKI confirmed by Acting C-in-C and sentence mitigated to 5 years imprisonment.

Promulgation: *Confirmation of finding & sentence promulgated to both accused 5/3/46*
Accused TANAKA executed by shooting on 6 Mar 46

Petition: Lodged 17 Dec 45 by both accused against Finding and Sentence of Court.

J.A.G.'s Report on Petition: That the Finding and Sentences be confirmed. In the case of accused FUJISAKI.—That the punishment be reduced and suggests that in this case no punishment should be imposed.

Action on Petition: Petition dismissed in the case of accused TANAKA. Petition of accused FUJISAKI upheld in so far as sentence is concerned.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.

Aust W.C. List Ser No.

Accused: Lt YABE Tokuro,
Lt NOMURA Koichi
Sgt UCHINO Seizo
Court, Place: Morotai
Date and Formation: 13 December 1945
Morotai Force

Charge(s)	Plea	Finding
Murder of a prisoner of war about 23rd March 1945 at BEO in the Talaud Is.	Not Guilty	Guilty

Precis of Evidence: Four airmen crashed either on the island referred to or close thereto and were taken prisoner of war by the Japanese. The colonel in charge of the Jap troops alleged that as a result of orders received from higher command he decided the four airmen were to be executed. No trial or legal proceedings to convict them of an offence was held. It was decided the execution would take place on a formal parade. The formal parade was held on the 23rd March for the presentation of colours which had been received from the Japanese Emperor. At the termination of this formal parade four companies of the battalion formed up on what was referred to as the execution grounds. One prisoner of war was handed over to each company for execution. A large cross was erected in front of each company, a grave dug and the prisoner of war was blindfolded and tied to the cross facing the company on parade. Each company commander called out a man from the ranks who came to attention in front of the prisoner of war. The officer in command of the company gave the order "Fixed Bayonets" "Prepare to Lunge" and "Lunge", when the man bayoneted the prisoner of war in the heart. That man was then marched back to his position in the ranks. Lt Yabe was a commander of one of the above companies. The order to carry out the execution was given to Sgt UCHINO personally by Lt Nomura. The execution was carried out on a direct order from Col Koba, Senior officer on the island through Major Tamura, officer in immediate command of the troops.

Sentence: To suffer death
and Date: by shooting.

13 Dec 45

Accused - UCHINO - TO BE IMPRISONED
FOR 10 YEARS.

Confirmation

and by Whom: Confirmed by Acting C-in-C and warrant signed 12 February 1946.

Promulgation: Confirmation of findings and sentences promulgated to accused on 5 MAR 46. Accused YABE and NOMURA executed by shooting at MOROTAI on 6 MAR 46

Petition: Submitted 17th December 1945 against the finding and sentence of the court.

J.A.G.'s Report on Petition: That the finding and sentence be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Pte TANAKA, Takeo

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 13 Dec 45
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
Murder of a prisoner of war about 23 Mar 45 in the TALAUD ISLANDS.	NOT GUILTY	GUILTY

Precis of Evidence: Four airmen crashed either on the island referred to or close thereto and were taken prisoner of war by the Japanese. The Col in charge of the Jap tps alleged that asa result of orders received from higher command he decided the four airmen were to be executed. No trial or legal proceedings to convict them of an offence was held. It was decided the execution would take place on a formal parade. The formal parade was held on 23 Mar for the presentation of colours which had been received from the Japanese Emperor. At the termination of this formal parade details of four coys of the Bn were formed up on what was referred to as the execution ground. One prisoner of war was handed over to each Coy for execution. A large cross was erected in front of each Coy, a grave dug, the prisoner of war blindfolded and tied to the cross facing the Coy on parade. Each Coy Comd called out a man from the ranks who came to attention in front of the prisoner of war. The Officer in command of the Coy gave the order "Fix Bayonets" "Prepare to Lunge" and "Lunge" when the man bayonetted the prisoner of war in the heart. The order to carry out the execution was given to Pte TANAKA personally by Lt. YADE.

Sentence
and Date: To be imprisoned for 10 years.
13 Dec 45

The execution was carried out on a direct order from Col KOBA, Senior Officer on the Island, through Maj TAMURA, Officer in immediate command of the tps.

Confirmation
and by Whom: Sentence mitigated to imprisonment for 5 years
by Acting C-in-C.

Promulgation: Confirmation of finding and sentence as mitigated from original
to accused on 11 FEB 46.

Petition: Submitted 17 Dec 45 against the finding and sentence of the court.

J.A.G.'s Report on Petition: That the finding be confirmed.
That the punishment be much reduced and suggests
no punishment be imposed.

Action on Petition: Upheld.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Sgt YAKI, Yoshio

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 13 Dec 45
Formation: 11 Aust Div.

Charge(s)	Plea	Finding
(1) RAPE of BETTY PANG WOO at MASSOWA plantation from about 31 Oct 44 to about 19 Dec 44.	Not guilty	GUILTY
(2) TORTURE of BETTY PANG WOO, a civilian at MASSOWA Plantation about 31 Oct 44.	Not guilty.	GUILTY

Precis of Evidence: Evidence of BETTY PANG WOO a chinese civilian of RABAU was that the accused had forced her to sexual intercourse against her will. He threatened that her husband would be beheaded if she refused. She refused repeatedly. The accused tied her to a tree for three hours and put ants on her face and body. She went back to where she previously lived and was told by a native girl that JERRY had been beheaded. She then went to YAKI's place. He forced her to dance and drink and ultimately had intercourse. BETTY saw her Mother in Law two or three days later and told her what had happened. Intercourse only happened once. WO LEE SAI, a Civilian stated that BETTY PANG WOO had described to her what had happened with YAKI some few days prior.

Defendant Sgt YAKI, Yoshio 6 MP Unit denied that he tied BETTY PANG WOO to a tree or put ants on her face and body. He admitted sexual intercourse once only and with her consent. She was on the kitchen staff. He had not heard that a Chinese was executed about that time at MASSOWA. He denied that he told BETTY that her husband would be beheaded if she refused intercourse.

Sentence Death by hanging.
and Date: 13 Dec 45.

Confirmation Finding and sentence confirmed by Acting C in C 12 Mar 46
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated to accused 12 Mar 46. Accused executed at Rabaul on 18 Mar 46.

Petition: No petition submitted.

J.A.G.'s Report on Petition: -----

Action on Petition: -----

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: Col KOBA, Shigeru
Maj TAMURA T.

AWC No.....

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 15 Dec 45
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
Murder of Prisoners of War about FEB & MAR 45 at TALAUD IS.	NOT GUILTY	GUILTY

Precis of Evidence: Four airmen crashed either on island referred to or close thereto and taken prisoner of war by Japs. Col in charge Jap tps on Island alleges that as a result of orders received from higher command (but such orders NOT satisfactorily proved and denied by Staff Off of higher comd) he decided the four airmen were to be executed. No trial or legal proceedings to convict them of an offence was held. A few days prior to 23 Mar 45 at a conference of officers orders for execution were announced and it was decided it would take place on formal pde. On 23 Mar 45 a formal pde was held for presentation of colours. At termination thereof details of four Coys of the Bn were marched to execution ground. A large cross was erected in front of each Coy, a grave dug, prisoner blindfolded and tied to cross. Each Coy Comd then called a man from the ranks who came to attention in front of prisoner. Off in Comd of Coy then gave order "Fix Bayonets", "Prepare to Lunge", "Lunge" when the man bayoneted the prisoner in the heart. The whole parade and execution were carried out at the direct orders of Col KOBA, the senior

Sentence To suffer death by shooting
and Date: 15 Dec 45

Officer on the Island, through Major TAMURA the officer in immediate comd of tps.

Confirmation Finding and sentence confirmed by Acting C-in-C and warrant
and by Whom: signed 12 Feb 46.

Promulgation: *Confirmation of finding and sentences promulgated to each accused on 5 MAR 46. Accused executed by shooting at MOROTAI on 6 MAR 46*

Petition: Submitted 17 Dec 45 against finding and sentence of the Court

J.A.G.'s Report on Petition: That the finding and sentence be confirmed.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 836,802 - 859

Accused: Capt TAKINO Motoi
Lt OJIMA Takeo

Aust W.C. List Ser No.....

Court, Place, LABUAN
Date and 15-22 Dec 45
Formation: MOROTAI FORCE~~(Also charged same time before same court~~
{ Capt NAKATO, Takeo (Takito)
Lt YAMAMOTO, Katsuji)

Charge(s) (Abbreviated)

Plea

Finding

First Charge: ILLTREATMENT OF PRISONERS
authorised and permitted men under their
command frequent cruel assaults upon PW
and civilian internees thus inflicting
grievous bodily harm.NOT
GUILTY

GUILTY

Second Charge: ILL TREATMENT OF PRISONERS
Denying PW and internees sufficient food
and medical supplies and attention where-
by many of the said PW and internees
died.NOT
GUILTYCharge amended deleting
words "medical supplies
and attention". GUILTY
of charge as amended.Third Charge: ILLTREATMENT OF PRISONERS
Forced certain of the PW and Internees
when sick and starving to do heavy manual
work whereby many of the said PW & I died.NOT
GUILTY

GUILTY

Precis of Evidence: KUCHING PW & I Camp held approx 1200 and nearly 600 perished. Camp Staff at the Kuching PW & Internee Camp included:-
Lt-Col SUGA, CO; in charge general admin of the camp also similar camps in BORNEO. After surrender of Jap in Aug 45 he committed suicide.
Capt NAKATO, Takeo (Takito) was 2 i/c and controlled general affairs of Camp.
Capt TAKINO, Motoi was intendant offr equivalent to Quartermaster.
Lt OJIMA, Takeo was in charge admin and working parties.
Lt YAMAMOTO, Katsuji was medical officer in charge of the camp.
A mass of evidence showing acts the effects of which individually and/or collectively would contribute to the cause of death of PW & I at Kuching. Capt NAKATO T had responsibility for and full knowledge of beatings, intimidation, lack of provision of food and medical supplies. Lt YAMAMOTO K had full knowledge of the pitiful condition of all PW & I through lack of food and medical supplies and was personally brutal and refused to give medical attention. Capt TAKINO M had full knowledge of beatings, lack of food and very low condition of PW & I.

Sentence TO SUFFER DEATH BY SHOOTING (over)
and Date: 22 Dec 45

Confirmation Findings confirmed

and by Whom: Sentences commuted to 5 years imprisonment - 15 Feb 46
the accused TAKINO by A/G-in-C and OJIMA. Sentences in
respect of other charges confirmed - Acting C in C 15 Feb 46.Promulgation: Findings and sentences as confirmed, or confirmed as
commuted promulgated to accused. Accused
NAKATA and YAMAMOTO executed by shooting at MOROTAI on 6 MAR 46.

Petition: Submitted 5 Jan 46 against Finding and Sentence of the Court

J.A.G.'s Report on Petition: Considers NOT sufficient evidence to drive home
responsibility of existing conditions on these two subordinate officers.
Recom and Finding and Sentence should NOT be confirmed.

Action on Petition: Upheld

Filed in Attorney-General's Department and Numbered.....

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PRECIS(contd)

Lt OJIMA T had full knowledge of beatings, lack of food and working of unfit men on manual work. Immediately following the Jap surrender, ample medical supplies and food were made available, the evidence produced showing large stocks of most commodities including over 500 tons of rice.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Lt YUNOMURA, Fumiwo

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 20 Dec 45
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
MURDER OF PRISONERS OF WAR at SARIO on 19 Jun 45 in that he unlawfully ordered and caused to be carried out the killing of WO W. McQUIGAN, RAAF and SBA HILL Alec, RAN; both PW held by the Japanese Armed Forces.	NOT GUILTY	GUILTY

Precis of Evidence: Accused was in comd 8 Garrison Unit (equivalent to MP) at SARIO. Just prior to 19 Jun he was verbally instructed that 6 PW (2 Aust, 2 Dutch, 2 Indonesians) were being forwarded from MANADO to him for execution. The evidence discloses that the 6 PW were executed under the order of the accused and in his presence. The two PW referred to in the charge were bayoneted or speared. The accused was handed an order of execution by LPO YAMAGUCHI, Shiro who had compiled it under instructions from Lt KATAGIRI. The accused alleges that this order was signed by either Rear Admiral HAMANAKA or Comd TAKASAKI and that he had previously twice received verbal instructions from TAKASAKI that the PW were to be executed.

Sentence TO SUFFER DEATH BY SHOOTING
and Date: 20 Dec 45

Confirmation Finding confirmed and sentence commuted to 5 years imprisonment,
and by Whom: by A/C-in-C - 31 Jan 46.

Promulgation: *Finding and sentence confirmed as commuted from death to the accused*
on 21 MAR 46

Petition: Submitted 21 Dec 45 against finding and sentence of Court.

J.A.G.'s Report on Petition: Recommends the finding and sentence of death should NOT
be confirmed.

Action on Petition: Upheld

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Sgt HOSOTANI, Naogi

AWC No. 738

Accused:

Aust W.C. List Ser. No.

Court, Place, LABUAN
Date and 29 Dec 45
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
MURDER at or near 15 1/2 mile SANDAKAN BRITISH NORTH BORNEO about June 1945	Not Guilty	Guilty

Precis of Evidence: Early in Jun 45 approx 91 English and 439 Aust PW were marched from SANDAKAN en route to RANAU. At 15 1/2 mile SANDAKAN after a halt of some hours 7 PW were unable to continue the march. This was happening all along the route. In this particular case two Jap and one Malay soldier remained behind with them and when the main body had left they forced the 7 prisoners off the road and shot six of them, the other escaped temporarily into the bush. The soldiers then moved on leaving the 6 PW for dead.

The following day Sgt HOSOTANI Naogi who was living nearby, came out and found three Chinese digging a grave for the dead PW. Discovering that two PW nearby were only wounded he procured a gun from his Malay boy and shot them dead. He then searched for the PW who had escaped and shot him dead. All 7 PW were buried by the Chinese. The accused pleaded sick with malaria, anxiety that escaped PW would spy on Japs and that he had received instructions from Cpl KATAYAMA, one of the three soldiers mentioned above to shoot stragglers.

Sentence
and Date: TO SUFFER DEATH BY BEING SHOT

Confirmation Finding and Sentence confirmed by Acting C-in-C - 26 Feb 46
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated
to accused on 5/3/46. Executed by shooting at MOROTAI
on 6 MAR 46

Petition: Submitted 5 Jan 46 against Finding and Sentence of the Court.

J.A.G.'s Report on Petition: That Finding and Sentence be confirmed

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Sgt IWABE Shigaru YANAI Kenji
HAYASHIDA Mitsujiro
ISHII Fujio
KAWAKAMI Kiyoshi
Accused: SUZUKI Saburo
TAKATA Kunio
Court, Place, LABUAN
Date and 29 & 31 Dec 45
Formation: 9 Div

743, 722, 740, 751,
AWC No. 824, 830, 862
Aust W.C. List Ser No.

Charge(s)	Plea	Finding
MASSACRE at RANAU British North Borneo, on or about 10 Jun 45 to with wilfully and without lawful cause or excuse killed unkown prisoners of war to the number of eight or thereabouts	All accused Not Guilty	All accused guilty except accused YANAI Not Guilty

Precis of Evidence: 1. Between 28 Jan 45 and 6 Feb 45 approximately 325
Australian and 135 British PW in Japanese hands left SANDAKAN to proceed
to RANAU approximately 165 miles away. On 28 Apr 45 there were about
40-50 PW left RANAU and were taken to No 1 Jungle Camp a short distance
from RANAU. The reason for this move was that the RANAU Camp was being
subjected to allied bombing. On 10 Jun 45 it was decided to move these
prisoners to No 2 Jungle Camp located at the 110 $\frac{1}{2}$ mile RANAU.
At this time there were 18 PW left and a Japanese named HANEDA took 10
of the PW to No 2 Jungle Camp leaving the remaining 8 who were sick at
No 1 Camp. The accused IWABE then ordered the other accused to carry the sick
men in stretchers to a point about 50 yds away from their hut.
All the PW were then killed by shooting and each of the accused except
the accused YANAI admitted taking part in such executions.

Sentence	Accused	IWABE S.	TO BE IMPRISONED FOR 14 YEARS - 31 Dec 46
and Date:	"	HAYASHIDA M	TO BE IMPRISONED FOR 10 YEARS " " "
	"	ISHII F	" " " " 10 " " "
	"	KAWAKAMI K	" " " " 15 " " "
	"	SUZUKI S	" " " " 12 " " "
	"	TAKATA K	" " " " 5 " " "

Confirmation Findings and sentences confirmed by Lt Gen V.A.H. STURDEE
and by Whom:

Promulgation: Promulgated to accused on 1 Apr 46

Petition: Joint petitions lodged Jan 46 on behalf of each convicted accused

J.A.G.'s Report on Petition: Confirm findings and mitigate sentences to a term of 3
years imprisonment with hard labour

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

2. The accused gave evidence in their defence. They alleged that the executions were carried out pursuant to the orders of Lt SUZUKI. Evidence was also given to the effect that two of the accused objected to carrying out such orders and were threatened by Lt SUZUKI with his revolver. A submission was also made on behalf of the accused that disobedience of Lt SUZUKI's order would have made the accused liable to a sentence of death under the Japanese Military Code.

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

Sgt OKADA Toshiharu	SHOJI Shinsuke
HIROTA Ginjiro	YOSHIKAWA Tatsuhiko
HIROUCHI Jiro	YOSHIOKA Shigeo
MATSUDA Nobunaga	YASUYAMA Eikichi
Accused: MIYAKE Tadao	
MORIOKA Teikichi	

AWC No.

Aust W.C. List Ser No.....

Court, Place, LABUAN
Date and 11, 12 & 13 Jan 46
Formation: 9 Aust Div

Charge(s)

Plea

Finding

MASSACRE in that they at near RANAU
British North Borneo on or about 1 Aug 45
wilfully and without lawful cause or
excuse killed unknown PW to the number
of 17 or thereabouts

All accused not guilty	
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All accused guilty

Precis of Evidence: 1. About 25 Jan 45 183 PW out of a party of 536 arrived at RANAU, the balance having either died or been killed on the 165 mile march from SANDAKAN to RANAU. Six other prisoners joined the party, making a total of 189. By 1 Aug 45 all of the above party with the exception of 6 who had escaped and 33 who were still in custody, had died. On this date, Capt TAKAKUWA decided to kill the 33 survivors in his hands. He divided the 33 into 3 parties of which 17 were sick. Two of the 17 could just walk and the remainder had to be carried and all were taken to the cemetery. They were then shot by the accused found guilty who were members of the guard. The PW were then buried.

2. The accused pleaded in their defence that they carried out the executions under direct orders of their commanding officer.

Accused OKADA T)
Sentence and Date: HIROTA G) EACH TO BE IMPRISONED FOR LIFE - 13 Jan 46
) MIAKE T)
Accused YOSHIKAWA T - TO BE IMPRISONED FOR 20 YEARS - 13 Jan 46
 HIROUCHI J)
 YOSHIOKA S) EACH TO BE IMPRISONED FOR 15 YEARS - 13 Jan 46
 YASUYAMA E)
Accused MORIOKA T - TO BE IMPRISONED FOR 10 YEARS - 13 Jan 46
Confirmation and by Whom: SHOJI S - TO BE IMPRISONED FOR 8 YEARS - 13 Jan 46
) Lt Gen V.A.H. STURDEE Acting Commander in Chief 15 Mar 46

Promulgation: Confirmation of finding and sentences promulgated to each accused on 1 Apr 46.

Petition: Joint petition submitted in Jan 46 by all accused against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and mitigate sentences to say imprisonment for 3 years

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

GOTO Tsuneyoshi
HAYASHIDA Kiyoshi
KANESHIGE Yoshio
MATSUBA Shokichi
NISHIKAWA Moriji
TAKEUCHI Yoshimitsu
Accused TOMIYAMA Shintaro
TOYOOKA Eihiro

Court, Place, LABUAN
Date and 13 & 14 Jan 46
Formation: 9 Aust Div

AWC No.....

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
MASSACRE at or near RANAU British North Borneo on or about 1 Aug 45 wilfully and without lawful cause or excuse killed unknown PW of the number of 11 or thereabouts	Not Guilty	All accused guilty

Precis of Evidence: (1) About 25th June 1945, 183 prisoners of war out of a party of 536 arrived at RANAU, the balance having either died or been killed on the 165 mile march from SANDAKAN to RANAU. Six other prisoners joined the party, making a total of 189. By 1st August 1945, all of the above party, with the exception of 6 who had escaped and 33 who were still in custody, had died. On this date, Capt TAKAKUWA decided to kill the 33 survivors in his hands. He divided the 33 into 3 parties of which 11 were in better condition than the others. He sent the above 11 out of the camp with guards saying that they were to go to get rations but when a little distance from the camp, instructed the guards to shoot them. This was done and the men were buried.

(2) The accused in their defence pleaded that they had merely carried out the executions pursuant to orders of the commanding officer.

Sentence Accused MATSUBA S)
and Date: " TAKEUCHI Y) EACH TO BE IMPRISONED FOR 20 YEARS - 14 Jan 46
Accused GOTO T.
HAYASHIDA K) EACH ACCUSED TO BE IMPRISONED FOR 15 YEARS - 14 Jan 46
NISHIKAWA M)
TOYOOKA E.)
Accused KANESHIGE Y. TO BE IMPRISONED FOR 12 YEARS
Confirmation Lt Gen V.A.H. STURDEE Acting Commander-in-Chief 14 Mar 46
and by Whom:

Promulgation: Confirmation of finding and sentences promulgated to each accused on 1 Apr 46.

Petition: Joint petition lodged Jan 46 on behalf of each accused against finding and sentences.

J.A.G.'s Report on Petition: Confirm finding and mitigate sentences to terms of imprisonment for 3 years

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

3/M BEPPU Yoichi YAMAMOTO Jiro
HASHIMOTO Masao
KAWAKAMI Kiyoshi
NAGAHIRO Masao
Accused: NAKAYAMA Tamao(Not guilty)
OYAMA Tatsuo(Not guilty)
Court, Place, LABUAN
Date and 14 & 15 Jan 1946
Formation: 9 Aust Div

702, 718, 751, 787,
AWC No. 794, 809, 857
Aust W.C. List Ser No.

Charge(s)	Plea	Finding
MASSACRE in that they at or near RANAU, British North Borneo on or about 1 Aug 45 wilfully and without lawful cause or excuse killed unknown PW to the number of five or thereabouts.	All accused Not Guilty	All accused guilty except accused NAKAYAMA & OYAMA not guilty

Precis of Evidence: About 25 June 1945, 183 PW out of a party of 536 arrived at RANAU, the balance having either died or been killed on the 165 mile march from SANDAKAN to RANAU. Six other PW joined the party making a total of 189. By 1 Aug 45 all of the above party with exception of 6 who had escaped and 33 who were still in custody, had died. On this date Capt TAKAKUWA decided to execute the 33 surviving PW in his custody. The 33 PW were divided into 3 parties. In one party were the 5 PW referred to in the charge. They were officers and they were sent out of the camp believing that they were to be interrogated. When some distance along a track they were told to sit down, given tobacco to smoke and then shot by the guards and buried.

2. Each of the accused gave evidence in their defence and called witnesses. The convicted accused admitted that they took part in the executions.

over

Sentence and Date: Accused BEPPU Yoichi)
" HASHIMOTO Masao) Each TO BE IMPRISONED FOR 15 YEARS -
" KAWAKAMI Kiyoshi) 15 Jan 46
" NAGAHIRO Masao)

Accused YAMAMOTO Jiro - TO BE IMPRISONED FOR 10 YEARS - 15 Jan 46

Confirmation and by Whom: Confirmed by Lt Gen V.A.H. STURDEE

Promulgation: Confirmation of findings and sentences promulgated to each accused on 1 Apr 46

Petition: Joint petitions lodged Jan 46 on behalf of each convicted accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and mitigate sentences to imprisonment for 3 years

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

The executions, it was claimed, were carried out pursuant to orders of superiors and in some cases it was alleged that there were protests about such executions.

RECORD OF MILITARY COURT

S/Maj MUROZUMI Hisao (JAPANESE WAR CRIMINALS)
FUKUDA Nobuo (not guilty) GOTO Yoshitaro
HIROTA Nobuo (not guilty) IKEDA Yoshio AWC No.....
MATSUDA Takeo NAGATA Shinichi
NISHIKAWA Yoshinori TOYODA Kokichi
Accused: YANAGAWA Hideo YANAGAWA Shigemori (not Aust W.C. List Ser No.....
guilty)

Court, Place, LABUAN
Date and 18 and 19 Jan 46.
Formation: 9 Aust Div.

Charge(s)	Plea	Finding
MASSACRE in that they at or near SANDAKAN, British North Borneo, on or about the 13 Jul 45 wilfully and without lawful cause or excuse killed unknown PW to the number of 23 or thereabouts.	Not guilty	Guilty

Precis of Evidence: On 29th May 1945 there were approximately 820 British and Australian prisoners of war in SANDAKAN camp. This PW camp was under the command of Capt TAKAKUWA who had taken it over from Capt HOSHIJIMA on 17 May 1945. On 29th May 536 of these prisoners of war moved out in a march from SANDAKAN to RANAU and the remaining 288 were left behind at SANDAKAN, these being too sick to move to RANAU. Those who were left behind were in charge of Lt MORITAKE and his 2 i/c was the accused, Sgt-Maj MUROZUMI MORITAKE was absent from the camp when TAKAKUWA left with the party ~~from~~ for RANAU and the PWs were handed over to MUROZUMI and later MORITAKE returned to SANDAKAN and took over as O.C. These prisoners had been left in the open, all camp buildings having been burnt when the RANAU party marched out. Seventy-five (75) marched out towards RANAU and the remainder died off until on 12th July 45 only 50 to 60 were still alive. It was decided to kill 23 of these prisoners. Lt. MORITAKE was ill at the time and actually died on 13th July. On the 13th July the

Sentence and Date: Accused MUROZUMI H TO BE IMPRISONED FOR LIFE - 19 Jan 46. (over)
" GOTO, Y.)
" IKEDA, Y.) EACH TO BE IMPRISONED FOR 15 YEARS - 19 Jan 46
" MATSUDA T.)
" YANAGAWA H.)
" NAGATA S.)
" NISHIKAWA Y.) EACH ACCUSED TO BE IMPRISONED FOR 12 YEARS)
" TOYODA K.) 19 Jan 46.
Confirmation and by Whom: Confirmation: Findings and sentences confirmed except in the case of accused TOYODA. Finding confirmed in this case and sentence mitigated to imprisonment for 2 years - Lt-Gen V.A.H.
Promulgation: STURDEE Acting Commander-in-Chief - 15 Mar 46.
Confirmation of finding and sentences promulgated to all accused (except accused TOYODA) on 1 Apr 46. Promulgated to accused TOYODA
Petition: on 29 Nov. 1946.
Joint petition on behalf of all accused against finding and sentences.
J.A.G.'s Report on Petition: Confirm finding and mitigate all sentences to terms of imprisonment for 3 years.
Action on Petition: Petition dismissed except in case of accused TOYODA in so far as sentence is concerned. Sentence mitigated to imprisonment for 2 years.
Filed in Attorney-General's Department and Numbered.....

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accused MUROZUMI and a party of guards which included the other accused, took 23 PWs out to the SANDAKAN airfield. Those who were left out of this killing were prisoners of war whom it is considered would die in a few days anyhow.

A deep air-raid shelter on the airfield was selected as being a suitable grave and then MUROZUMI then forced the prisoners to line up near the shelter. He then lined the guards up and ordered them to open fire on the prisoners. The guards immediately opened fire, shooting all the prisoners until they were dead. The bodies were then thrown into the shelter and it was then filled in.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Sgt OKADA, Tomiyoshi

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 21-23 Jan 46
Formation: MOROTAI FORCE

Also charged same time before
same court S/Maj HONDO, Kazuma (Not Guilty)

Charge(s)	Plea	Finding
<p>MURDER at KAATEN in or about Aug 45 of Flt/Sgt F.G.B. HUTTON and Sgt A.A. LOCKYER both members of RAAF and PW then held by Japanese Armed Forces.</p>	<p>NOT GUILTY</p>	<p>GUILTY with the substitution of the words "an unidentified member of the RAAF" for the words "Flt/Sgt F.G.B. Hutton"</p>

Precis of Evidence: About 27 Jul 45 an aircraft crashed near TOMOHON and the three occupants captured and imprisoned at KEMPEI TAI HQ at KAATEN. One night about Aug 45 they were removed from their cells by members of the Kempei Tai incl Sgt OKADA. The latter under directions from S/Maj MORIMOTO chloroformed one of the PW and he was buried - evidence does NOT establish that he was dead. The second prisoner was then chloroformed but apparently it was not effective and he was strangled by OKADA with a rope. The evidence against OKADA included two members of the Kempei Tai guard. Defence claimed that OKADA only acted as a sentry some distance from the scene and that Capt SAITO gave orders to Sgt Maj MORIMOTO who was the leading factor in the killings.

Sentence TO SUFFER DEATH BY SHOOTING
and Date: 23 Jan 46

Confirmation Finding and Sentence confirmed by Acting C-in-C - 26 Feb 46
and by Whom:

Promulgation: *Confirmations of finding and sentence promulgated to the accused on 5 Mar 46. Executed by shooting at MOROTAI on 6 Mar 46*

Petition: Submitted 27 Jan 46 against finding and sentence.

J.A.G.'s Report on Petition: Recommend petition be dismissed and finding and sentence may be lawfully confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT

Lt KAWAZUMI Taisuke (JAPANESE WAR CRIMINALS)
Sub Lt HAYASHI Mitsuoshi (Not guilty)
Chief PO IKEDA Chokichi
PO 1st Cl IKEBATA Hishashi(not guilty) AWC No.....
Chief PO KAGAWA Haruo
PO 1st Cl KUWABARA Masuji Aust W.C. List Ser No.....
Chief PO OKI Kiichi
PO 2nd Cl YOSHINO Isamu Chief PO SHIBATA Shigenobu
Court, Place, MOROTAI
Date and 5-14 Feb 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
ILL-TREATMENT OF PW AT TAN TOEY CAMP AMBON between Feb 42 and Aug 45 (a) Physical beatings and torture (b) Compelling sick and infirm PW to go out on work parties. (c) Failing to ensure the provision of proper food supplies.	NOT GUILTY	Accused HAYASHI and IKEBATA both not guilty. The accused KAWAZUMI guilty of failing to ensure the provision of proper food supplies. Remaining accused guilty of physical beatings and torture.

Precis of Evidence: (1) Evidence discloses the following against KAWAZUMI. That he was responsible for the rationing of the Unit and PW committed to his charge; looking after all rations; telling Capt SHIROZU what the position was, what was going on, and how much was there. He was in charge of the Q store and the farm, which came under his management. Suggestions for the substitution of rice by other foodstuffs was made by KAWAZUMI, also the food ration was reduced not by order of the senior formation but on the order of SHIROZU himself, and this on the advice of his Chief Paymaster KAWAZUMI.

Evidence shows that the PW got exactly half the amount of rice per man as issued to the Japanese, $4\frac{1}{2}$ oz a day which had to provide the PW with staple food for 3 meals a day, plus substitute of sweet potatoes, native grasses etc.

KAWAZUMI admits that there was a difference in the rice rations between PW and Japanese.

Sentence	Accused KAWAZUMI I)	
and Date:	" KUWABARA M)	Each to be imprisoned for 10 YEARS - 14 Feb 46
	" YOSHINO I)	
	" IKEDA C)	
	" KAGAWA H -	TO BE IMPRISONED FOR 8 YEARS - 14 Feb 46
	" OKI K -	" " " " 6 " - 14 Feb 46
	" SHIBATA -	" " " " 2 " - 14 Feb 46

Confirmation
and by Whom: Findings and sentences confirmed by Lt Gen V.A.H. STURDEE 30 Apr 1946.

Promulgation: 15 May 1946

Petition: Submitted against the Findings and Sentences of the Court

J.A.G.'s Report on Petition: Findings should NOT be confirmed

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

Precis contd:

KOJIMA Toshio QM 25 Naval Base states:

That the food for both Jap and natives was not enough, this condition lasted till Aug 44, after Aug 44 the conditions became worse. The food condition was not sufficient to ensure normal life after Sep 44. (Understands the position was worse in the Army).

Also there were some among the Jap personnel who had died of Beri Beri. The only remedy to save the situation was to increase the ration to the Japanese, but the food position would not have improved if all the PW had died as there were so little of them, there was no reason at all why the PW should not receive the same ration as the Jap, as they would require so little extra that it would not have effected the overall ration situation.

At the time of surrender the Army had 400 tons of rice in the store.

Ration returns did not show PW separately but were included in 20 Garrison Units return (therefore they should have received the same amount as the Japanese, as the rations issued were for the total number including Jap and PW).

KAWAZUMI states supply of rations was based on PW ration regulations of Jap Navy issued by 25 Naval Base Unit, KOJIMA, QM 25 Naval Base states that PW were issued on same scale as Jap, yet KAWAZUMI states there was a difference in the amount of rations between Japs and PW.

As a result of this reduction PW died at an appalling rate.

2. The evidence shows with regard to the undermentioned accused charged with "physical beatings and torture of PW":-
 - (a) IKEDA - frequently inflicted unmerciful beatings on PW with crowbars, saws, hammers and native swords, and as a torture forced a nail up a PW's nostril. PW Hutchins after being beaten all one day by Ikeda was carried home unconscious by his mates and died next morning.
 - (b) KUWABARA - was responsible for constant brutal treatment particularly while moving the PW from their compound to working areas and often beat PW unconscious. PW Wright after brutal treatment by Kuwabara one afternoon died the next morning. A form of torture he often inflicted on PW was known as "Lockheed Torture" and consisted of making the victim stand on one leg, the other leg stretched out behind, and arms held out sideways.
 - (c) KAGAWA - was responsible for frequent brutal beatings and the breaking of a PW's arm.
 - (d) OKI - was responsible for frequent bashings and on one occasion jabbed a broom into a PW eyes. PW Ralph died two days after receiving a brutal beating by Oki.
 - (e) SHIBATA - was responsible for some comparatively mild beatings.
 - (f) YOSHINO - was responsible for extremely brutal treatment of PW who were working under him. One PW was beaten unconscious with an iron bar and he often kicked PW on their ulcers. PW Alford was struck on the head with a bayonet by Yoshino, had to be assisted back to camp and died three days later. As a torture he made a PW hold an iron bar above his head.

Precis contd:

KOJIMA Toshio QM 25 Naval Base states:

That the food for both Jap and natives was not enough, this condition lasted till Aug 44, after Aug 44 the conditions became worse. The food condition was not sufficient to ensure normal life after Sep 44. (Understands the position was worse in the Army).

Also there were some among the Jap personnel who had died of Beri Beri. The only remedy to save the situation was to increase the ration to the Japanese, but the food position would not have improved if all the PW had died as there were so little of them, there was no reason at all why the PW should not receive the same ration as the Jap, as they would require so little extra that it would not have effected the overall ration situation.

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Precis contd:

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Also there were some among the Jap personnel who had died of Beri Beri. The only remedy to save the situation was to increase the ration to the Japanese, but the food position would not have improved if all the PW had died as there were so little of them, there was no reason at all why the PW should not receive the same ration as the Jap, as they would require so little extra that it would not have effected the overall ration situation.

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 - (f) YOSHINO - was responsible for extremely brutal treatment of PW who were working under him. One PW was beaten unconscious with an iron bar and he often kicked PW on their ulcers. PW Alford was struck on the head with a bayonet by Yoshino, had to be assisted back to camp and died three days later. As a torture he made a PW hold an iron bar above his head.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R15

Ans 39

AWC No.....

Accused: Sgt OSAKI Kazuo

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 6 - 8 Mar 46
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER of Pte WONG SHIU TSUN at RABAU about 26 Jul 44.	NOT GUILTY	GUILTY

Precis of Evidence: About 26 Jul 44 at Rabaul three members of the Chinese National Army were accused by Sgt OSAKI, Kazuo with stealing of cigarettes. The Chinese denied the accusation and were then beaten and kicked. OSAKI then tied one man to a tree and ordered the others to move into their cave quarters where he again beat them, particularly WONG SHIU TSUN. Cpl BAN NEI Din said to OSAKI that if he beat these men so cruelly they would be unable to work for some time, to which OSAKI replied "Whether they work or not is not important". OSAKI then again beat and kicked WONG who was bleeding from the head and body and then stuck on his stomach causing him to vomit blood. On seeing this OSAKI left the cave. WONG died 3 or 4 hours later.

Cpl BAN then reported WONG's death to OSAKI who replied "He's dead, that is not important".

WONG was not suffering from any illness prior to this and was
(over)

Sentence DEATH BY HANGING.
and Date: 8 Mar 46.

Confirmation Chief of General Staff - Lt-Gen V.A.H. Sturdee.
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated to accused on 24 May 46. Executed by hanging at Rabaul on 25 May 45.

Petition: Submitted against the finding and sentence of the Court.

J.A.G.'s Report on Petition: Finding and sentence should be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

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Precis of Evidence:(contd).

comparatively strong.

OSAKI denied any knowledge of the incident and stated that the only death about that time was a TB Chinese whose name he could not remember.

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RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Accused: Lt-Col YUTANI Yujiro
Sgt Maj KASEZAWA Toshinobu (not guilty)
Interpreter SANO Taketomi

AWC No. 1915, 1921, 1926

Aust W.C. List Ser No.

Court, Place, Darwin
Date and 19, 20, 21, 22, 23, 25, 26, 27, 28, 29 Mar 46 and 10 Apr 46
Formation: 7 MD.

Charge(s)	Plea	Finding
(1) Committing A War Crime to wit ill-treatment of a PW at KOEPANG in or about Apr and May 43 namely Gnr MARTIN 79 Lt A/A Bty a member of the British Army by beating and torturing him.	Not guilty	Accused YUTANI guilty on both charges accused SANO guilty on first charge with the exception of the words "and torturing" - not guilty on second charge, Accused KASEZAWA not guilty on both charges.
(2) Committing A War Crime to wit ill-treatment of a PW namely TX3282 Cpl J.H. Armstrong 2/40 Bn, a member of the AMF by beating and torturing him at KOEPANG in or about the month of May 43.	Not guilty	

Precis of Evidence: The case for the prosecution consisted largely of the sworn evidence of 3 natives AMMIN, TARKOE and HAGA supported by some documentary evidence.

2. In respect of first charge there was evidence that Gnr Martin had been interrogated by HQ Kempei Tai on three occasions and that on each occasion he had been brutally beaten and tortured. The accused SANO struck Martin on these occasions and the accused YUTANI the CO of the unit was also present. On the first occasion Gnr Martin was suspended by a rope tied to his wrists from the ceiling. He was kept in this position for about 15 minutes during which he was flogged. On the second and third occasions he was made to sit on the floor with his hands held above his head by a rope and in this position he was flogged.

3. In respect of the 2nd charge evidence for the prosecution showed that Cpl Armstrong was subjected to interrogation on several occasions. On the first occasion he was seated on a stool and then the stool was tipped up

Sentence Accused YUTANI - IMPRISONMENT FOR 10 YEARS with hard labour - 10 Apr 46
and Date: " SANO - " " 6 MONTHS - 10 Apr 46.

Confirmation Brig W.J. Urquhart, Deputy Adjutant-General. (Personal Services)
and by Whom:

Promulgation: Confirmation of findings and sentences promulgated to accused on 17 May 46.

Petition: Lodged April 46 by both accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

- 2 -

causing Cpl Armstrong to fall backwards and strike his head heavily on the concrete floor. On the second occasion his beard was set on fire and he was beaten. He was made to squat on the floor and his arms were held above his head with a rope. On each of these occasions the accused SANO and KASEZAWA were present. The prosecution contended that both these accused were directly under the command of the accused YUTANI and in consequence was responsible for the ill-treatment in connection with the second charge.

4. In regard to both charges all the accused denied the ill-treatment as alleged.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Capt KASHIMOTO Naoji
Sgt KOBAYASHI Shotaro (Not guilty)

AWC No. 2232, 2233

Accused:

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 5/6 April 46.
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER of Pte FATEH KHAN Indian Army in Apr 44 near Boiken	Both not guilty	KASHIMOTO Guilty KOBAYASHI Not guilty

Precis of Evidence: Jemadar ABDUL LATIF of 4/9 Jat Regt declared he was a member of 26 Indian Working Party marching from WEWAK towards HOLLANDIA. Near BOIKEN FATEH KHAN asked for his load to be lightened because of his weakness. KASHIMOTO ordered KOBAYASHI and others to bind FATEH KHAN and put him in the sea. He was drowned in water 4 feet deep and ABDUL LATIF saw him drown.

Accused KASHIMOTO alleged that the working party was divided into 3 parties, that ABDUL LATIF was not in the accused's party, that KOBAYASHI was sick and did not march at all and that he could not remember FATEH KHAN. KOBAYASHI also said he was sick and did not march.

Sentence Death by hanging
and Date: 6 Apr 46.

Confirmation Finding and sentence confirmed by Lt-Gen V.A.H. Sturdee - 11 June 1946.
and by Whom:

Promulgation: 25th June 1946 (Accused KASHIMOTO executed at RABAU on 26 June 1946).

Petition: Submitted 18 Apr 46 against finding and sentence.

J.A.G.'s Report on Petition: Findings and sentences be confirmed and petitions be dismissed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2230

Accused: L/Cpl MAEDA, Bishin

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 4/5 Apr 46
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER of JEMADAR KITIAL SINGH Indian Army in Feb 45 at KURRINGE	Not guilty	Guilty

Precis of Evidence: Jemadar Chint Singh declared that in Feb 45 while the Indians were being marched from Yawa to Yakano and back he saw the accused severely beat deceased Kitial Singh with a big stick so that he bled and became unconscious. When he recovered Kitial Singh said he was beaten because he had not cleaned perfectly accused's boots. Accused forced deceased to work after the beating while was unfit as a result of the severe beating, so that he became progressively weaker and after 3 weeks died.

Accused denied the beating and said he was not present when accused died of malnutrition and beri beri about Apr 45. He was corroborated by fellow soldiers.

Sentence
and Date: To suffer death by hanging. 5 Apr 46.

Confirmation
and by Whom: Finding and sentence ~~was~~ confirmed, by Lt-Gen V.A.H. Sturdee
11 Jun 46.

Promulgation: 25 Jun 46 (executed at Rabaul on 26 Jun 46).

Petition: Submitted 5 Apr 46 against finding and sentence of the court.

J.A.G.'s Report on Petition: Finding and sentence be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC N2211,2223,2224,2230.....

Accused: Lt MITSUBA Hisaneo, Sgt HATA Saburo, Aust W.C. List Ser No.....
Cpl HIROOKA Tokio, L/Cpl MAEDA Bishin

Court, Place, Rabaul 3/4 Apr 46, 8 MD
Date and
Formation:

Charge(s)	Plea	Finding
MURDER in Feb 45 at YAWA of 4 Indian Army officers	Not Guilty	Guilty

Precis of Evidence: The deceased Indians were members of 19 Indian Working Party which in Feb 45 was moving from YAWA to YAKANO. They were left behind because of weakness. MITSUBA, HATA and MAEDA and one other Japanese were seen going into the deceased's hut, four or five shots were heard and the Japanese, except MITSUBA, were seen carrying the dead Indian officers' clothes. Another Indian Pte PURAN SINGH who did not go on the march saw their dead bodies. HIROOKA is alleged to have admitted he took part in the murder. The accused denied that the Indian officers were killed.

Sentence MITSUBA and HATA - death by hanging.
and Date: HIROOKA and MAEDA - 15 yrs' imprisonment
4 Apr 46

Confirmation Chief of General Staff - Lt Gen V.A.H. STURDEE
and by Whom:

Promulgation: Confirmation of finding and sentences promulgated to each accused
(except accused MITSUBA who committed suicide on 13 Apr 46).
Accused HATA executed by hanging at RABAUl on 17 Jul 46

Petition: Submitted against finding and sentences by all accused Apr 46.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (Contd):

Subsequently 6 Indians disappeared in similar circumstances. In July we marched to DAGUA. Three sick PW were left behind. About a mile out from SOWAM a native told me that he saw Japs killing 3 PW at the camp.

Lt KASHIMOTO in charge of DAGUA told me that he was punishing Lt TUMIASI and that TUMIASI would not kill any more Indians".

Statement by Lt TOMIYASU, Hisato was admitted in evidence - "I went to SOWAM in Aug 44 with about 90 Indians. I deny that I took an Indian away to carry medical supplies and that I stated that any Indian who moved about alone would be shot by Kempei Tai.

In Oct 44 I went to DAGUA with some patients and met KASHIMOTO there. I do not remember him accusing me of any offence.

Defence does not call any witnesses or tender any statements.

Defending officer, addressing the court, claims there is no case to answer in at least 13 of the 14 alleged murders and that in Pte MOHD SHAFI's case TOMIYASU is cleared of responsibility.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

628

Ans. 51

Accused: Maj KUDO, Masao
Lt SATO, Hiroshi
Sgt NONAKA, Shigeru
L/Cpl OGUSU, Yasuo.
Court, Place, Date and Formation: RABAU, 30 Mar-1 Apr 46, 8 MD.

AWC No. 2236, 2241, 2238, 2239.
Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
MURDER of SUBEDAR RASIL SINGH and Pte GANGA RAM, Indian Army PW at KABRIMAN about Jul 45.	Not guilty	All accused GUILTY of manslaughter.

Precis of Evidence: In Jul 45 the seven surviving members of 18 Indian Working Party were transferred to the charge of Maj KUDO, who divided them into three parties, SUBEDAR RASIL SINGH and Pte GANGA RAM being sent to KABRIMAN, where Medical Lt SATO was in charge.

It was alleged that the Indians were spying and circulating rumours amongst the natives to the effect that the allies would soon land and kill all the native collaborators. This caused the natives to leave the villages, causing loss of food supplies. Lt SATO reported accordingly to Maj KUDO who states that he also interrogated the Indians and issued orders to Lt SATO for their execution.

Lt SATO instructed Sgt NONAKA and medical orderly L/Cpl OGUSU to carry out the execution.

Maj KUDO admits issuing the order under authority of the Emergency Punishment Order issued by 18th Army. The other accused admit their part in the execution, pleading that they acted under their superior's orders.

Sentence and Date: Maj KUDO - imprisonment 15 years.
Lt SATO - " 10 "
Sgt NONAKA - " 5 "
L/Cpl OGUSU - " 5 "

Confirmation and by Whom: Chief of the General Staff - Lt-Gen V.A.H. Sturdee.

Promulgation: Confirmation of finding and sentence promulgated to each accused on 29 Jun 46.

Petition: Submitted Apr 46 against findings and sentences of the Court.

J.A.G.'s Report on Petition: Findings and sentences should be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R 23 Aug 46

AWC No. 2203, 2205

Accused: Lt MATSUO, Masaru
WO YAMANAKA, Gunichi

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 29 Mar 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER of seven Indians at YAWA about Dec 44	NOT GUILTY	GUILTY

Precis of Evidence: Indian PW members of 17 Indian Working Party escaped from MOI near YAWA. They were captured by Jap guards of 18 Special Water Duty Coy under Sgt MORIMOTO and brought to YAWA. Lt MATSUO, Masaru officer in charge of 18 Special Water Duty Coy at Yawa ordered WO YAMANAKA to shoot the Indians.

WO YAMANAKA called a muster parade and lined up the 7 Indians in front thereof. He then warned other Indian PW that if they ran away they would be shot - "as we are going to shoot these men."

MORIMOTO and L/Cpl TAKAHASHI with rifle and shovel led the 7 Indians away, followed by WO YAMANAKA. The three Japs returned alone about 3 hours later. Evidence of a large new grave was found about 800 yards away the following day.

Defence claimed that the Indian escapees attacked the search party and five were killed by return fire and two escaped.

Sentence
and Date: DEATH BY HANGING
29 Mar 46Confirmation
and by Whom: Chief of General Staff - Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to each accused on 17 May 46. Executed by hanging at Rabaul on 18 May 46.

Petition: Submitted 11 Apr 46 against Findings and Sentences of the Court

J.A.G.'s Report on Petition: Findings and Sentences should be confirmed.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2233, 2235

Accused: Sgt KOBAYASHI Shotaro
L/Cpl SHIBATA Hideo

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 25/26 Mar 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER in Sep 44 near Wonginara of 6 named Indian POW	Not guilty	Guilty

Precis of Evidence: The dead Indian POW were members of 26 Working party which in Sep 44 marched from DAGU to CHAREM. At WONGINARA they were too weak to move and were left behind with the accused and another Jap. Soon after shots were heard and the accused rejoined the party carrying clothing recognisable as that of the dead Indian POW. SHIBATA told a Lt KASHIMOTO that the three Japs had killed the Indians and KASHIMOTO repeated the report to JEMADUR ABDUL LATIF who had heard the original report.

The accused each denied that the Indians named in the charge had been killed.

Sentence and Date: Both accused to suffer death by hanging - 26 Mar 46.

Confirmation and by Whom: Finding and sentences confirmed by Lt-Gen V.A.H. Sturdee - 8 June 1946

Promulgation: 31 July 1946. (Both accused executed at RABAUl on 1 August 1946)

Petition: Lodged April 46 by each accused against finding and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2242, 2201

Accused: Lt YAMAMOTO Jintaro
Sgt Maj MIYAKAWA Kazuo

Aust W.C. List Ser No.....

Court, Place, Date and Formation: RABUL 25 Mar 46 8 MD.

Charge(s)	Plea	Finding
MURDER of three Indians (names unknown) at NANGAGUA between Dec 44 and Mar 45.	Not guilty	Guilty

Precis of Evidence: NUM-A, a native who lived on the opposite side of the brook to the Japanese 16 Special Water Duty Coy made a statutory declaration. "I am a native of NANGAGUA. Between the months of Dec 44 and Mar 45 about 30 Japanese were living in Nangagua. Three Indians were living with the Japanese. One day between Dec 44 and Mar 45 some of the Japanese took a mosquito net and some calico from the Indians who objected to this. This made the Japanese angry. The Japanese comd named YAMAMOTO (now known to me as Lt YAMAMOTO, Jintaro) and his 2 i/c/ named MIAKO (now known to me as Sgt Maj MIYAKAWA, Kazuo) then beheaded the three Indians and threw their dead bodies into the SCREW RIVER. On 29 Dec 45 from a line up of Japanese I identified the abovenamed Japanese :

Cross-examination by the prosecution :-

Q. Do you remember me, the Prosecutor, being in charge of the identification parade? (P.T.O.)

Sentence and Date: Death by hanging. 25 Mar 46.

Confirmation and by Whom: Chief of General Staff - Lt-Gen V.A.H. Sturdee. Findings confirmed but sentences in each case commuted to imprisonment for 15 years and confirmed as commuted.

Promulgation: Confirmation of finding and sentences as commuted promulgated to accused on 29 Jun 46.

Petition: Submitted 6 Apr 46 against findings and sentences of the Court.

J.A.G.'s Report on Petition: The findings and sentences may be confirmed but suggest that their sentences be commuted to a term of imprisonment.

Action on Petitions Upheld insofar as sentences concerned only sentences commuted to imprisonment for 20 years.

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (contd) :

A. I do not remember if you were there or not but I recognise your face.

Q. Do you remember when you walked back into the compound some of the Japanese came over and spoke to you?

A. No, that did not happen.

Q. When were you first spoken to when you went into the gate of the compound?

A. After I went back into my tent, it was not a very long period.

Q. Is not this a fact that as soon as you were spoken to when you went into the compound by another Japanese, you drew your finger across your throat?

A. No, that is not a fact."

The defence is a complete denial of the beheading and that out of a total of 26 Indians, 5 died of illness and the remainder, due to shortage of food, deserted from the camp in small parties.

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

156 Aug 45

Accused: Lt MITSUBA, Hisaneo
L/Cpl OTSUKI, Matsuo(Not guilty)
L/Cpl SHIMOURI, Chiyoza(Not guilty)

AWC No.....2211,2226,2227.....
Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 22 Mar 46.
Formation: 8th Military District

Charge(s)	Plea	Finding
MURDER about Oct 44 at AIN of 2 unknown Indian PW.	Not Guilty	Mitsuba guilty Others not guilty.

Precis of Evidence:

Accused MITSUBA ordered the shooting of 2 Indian POW who were made to sit on the bank of a creek and shot by a firing party of which the other accused were alleged to be members but at the trial all three accused denied that OTSUKI and SHIMOURI were members of the firing party. The only evidence for the prosecution was a written interrogation of MITSUBA who justified his act by alleging the dead Indians had stolen rice, ammunition and medical supplies.

Sentence and Date: MITSUBA death by hanging 22 Mar 46(N.B. He has since suicided).

Confirmation and by Whom:

Promulgation: (Accused committed suicide at RABAU on 13 Apr 46).

Petition: Notice of petition submitted 23 Mar 46 but petition has not been received.

J.A.G.'s Report ~~on Petition~~ Confirm finding and sentence.

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans. 112

2753 2750

AWC No.....

Aust W.C. List Ser No.....

1st Lt KISHI Tadamori
Accused: Cpl S. IMAJIRI Jitschoku

Court, Place, *RABATUL*
Date and *11 July 46*
Formation: *8th Military District*

Charge(s)	Plea	Finding
ILL TREATMENT OF PRISONERS OF WAR (1) Between FIJIMIDAI and HAGA HAGA on or about 3 January 1945 ill treated 10087 Sepoy PIARA SINGH of 5/11 Sikh Regiment an Indian PW.	Both accused not guilty	Accused KISHI not guilty. Accused IMAJIRI guilty
(2) At KOMORIYAMA on or about 25 Aug 1944 ill treated Subedar SANTA SINGH an Indian PW.	Both accused not guilty	Both accused guilty
(3) At KOMORIYAMA on or about 25 August 1944 ill treated Subedar SANTA SINGH an Indian PW	Both accused not guilty	Accused KISHI not guilty Accused IMAJIRI guilty

Precis of Evidence: 1. The evidence for the prosecution on all charges was documentary and consisted of written statements made by PIARA SINGH, RANG ALL, PAURA SINGH, GURD SINGH, DALIP SINGH and the interrogation of both the accused reduced to writing and signed by them. The substance of the evidence was as follows:-
1st Charge. On 3 Jan 45 a party of Indian PW were moving from FIJIMIDAI to HAGA HAGA and the accused IMAJIRI was in charge of such party. A plank was found lying on the road, and the accused ordered PIARA SINGH to carry the plank along with his other gear. After carrying the load for about 3 miles PIARA SINGH was unable to continue further. He asked the accused to order one of the other men to carry the plank and the accused thereupon beat him with a stick he was carrying. As a result of the beating PIARA SINGH was admitted to hospital where he remained for a considerable time. Both the accused gave evidence in their own defence.

(over)

Sentence and Date: Accused KISHI T - TO BE IMPRISONED FOR 12 MONTHS
Accused IMAJIRI J. " " " 3 YEARS

Confirmation and by Whom: *Lt. Gen V. A. H. Sturdee.*

Promulgation: *Confirmation of finding and sentences promulgated to accused on 25 Nov 46*

Petition: *Petition lodged 19 July 1946 by accused IMAJIRI T against findings and sentence.*

J.A.G.'s Report on Petition: *Confirm findings and sentences and dismiss petition.*

Action on Petition: *Dismissed.*

Filed in Attorney-General's Department and Numbered.....

The accused SHINAJIRI denied that he knew PIARA SINGH or that he had assaulted him. He admitted being with the party of Indians which moved from FIZIMIDA to a place called ASHINAYANA but not to NAGA NAGA. The accused KISHI denied he assaulted PIARA SINGH or was present when the alleged assault by the accused SHINAJIRI took place.

2nd CHARGE In July 44 a party of Indian PW were encamped at KODORIYANA and owing to shortage of food at the request of Indian officers the accused KISHI had permitted two Indian soldiers to go into the jungle each day and collect vegetables. On 25 Oct 44 SANTA SINGH was supervising Indian PW at work in a garden at KODORIYANA. The accused SHINAJIRI was in charge of the working party and SANTA SINGH asked him to send two Indian soldiers into the jungle to collect vegetables in accordance with the existing arrangements. The accused ignored SANTA SINGH's request and SANTA SINGH again made the request. The accused SHINAJIRI then commenced to beat SANTA SINGH with a stick. When the stick broke he continued the beating ^{with another stick} until SANTA SINGH fell to the ground in an unconscious condition. On 26 Oct 44 the Indian reported to the accused KISHI. This accused struck him two blows and said "You are an English officer and hence the beating is justified". Both accused gave evidence in their defence in respect to this charge. ^{BOTH} The accused denied striking SANTA SINGH ^{the accused has denied} or that SANTA SINGH had reported to him the alleged assault by SHINAJIRI. He further alleged that the accused SHINAJIRI was not at KODORIYANA at the time thereof.

3rd CHARGE On 25 Aug 44 SANTA SINGH was supervising gardening fatigue at KODORIYANA. The accused SHINAJIRI was in charge of the party. Earlier the accused KISHI told the accused SHINAJIRI and SANTA SINGH to send two men into the jungle after 1200 hrs to collect papayas. After 1200 hrs on the same day SANTA SINGH reminded the accused that two neboys had to be sent to the jungle. The accused was very angry and said "You are all slaves of the British". "I will set you alright". He then beat SANTA SINGH with a thick stick and about 4 feet in length. SANTA SINGH reported this assault to the accused KISHI but he took no action. Both accused gave evidence in relation to this Charge. Such evidence was in effect a denial of the Charge.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No. 2755, 2752, 2766, 2768

Accused: 2/Lt Surgeon MUKOHATA Sodami
Sgt Maj OKAWA Hakuei
Sgt Maj YOSHIOKA Makitaro
Court, Place, Sgt SAKASHITA Morizo (Not Guilty)
Date and RABAU
Formation: 10, 11, 12 July 46
8 MD

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
ILL-TREATMENT OF PRISONERS OF WAR (1) (Against all accused excluding accused SAKASHITA) in that they at KOMORIYAMA on or about 28 May 1945 cruelly beat Lt R.K. SAKSENA, Jem UJAGAR Singh of 7/8 Punjab Regt and Jem PAKHAR Singh of 5/11 Sikh Regt Indian Prisoners of War. (2) Against all accused including accused SAKASHITA) in that they at RABAU on or about 28 May 1945 ill-treated Lt R.K. SAKSENA PAKHAR SINGH and Jemadar UJAGAR SINGH, Indian Prisoners of War. (3) (Against the accused MUKOHATA only) in that he at MINIMISAKI and KOKOPO in 1944 failed to provide Indian Prisoners of War with proper medical care.	All accused not guilty of respective charges	Accused MUKOHATA guilty on 3rd Charge only. Accused OKAWA and YOSHIOKA guilty of 2nd Charge only. Accused SAKASHITA not guilty as charged.
Precis of Evidence:		

- The evidence adduced by the prosecution was documentary contained in written statements made by members of the Indian Army namely Lt R.K. SAKSENA, Jemadar PAKHAR SINGH, Havildar PARTAP SINGH and the interrogations of each of the accused which were reduced to writing and signed by them.
- In regard to the 1st Charge the Prosecution intimated that no evidence would be called and the accused so charged were found "Not Guilty".
- In regard to the 2nd Charge it was alleged that at RABAU on 23rd May 45 after the evening roll call the accused YOSHIOKA dismissed the officers and NCOs and commenced to issue to the Indian privates Japanese badges of ranks. Lt SAKSENA had been warned of the intention to issue such badges of ranks and he had issued strict orders to his troops that

Sentence and Date:	Accused MUKOHATA S. - TO BE IMPRISONED FOR 15 YEARS - 12 July 46
"	" YOSHIOKA " " " " 7 " 12 " "
"	" OKAWA " " " " 3 " 12 " "

Confirmation and by Whom: Lt Gen. V. A. H. Sturdee.

Promulgation: Confirmation of finding & sentences promulgated to the accused on 27 Nov 46

Petition: Petitions lodged 23 July 46 by each convicted accused against findings and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

these badges were not to be worn. The Indian soldiers refused to accept them even though persuasion and threats were used. 2/Lt TAKEDA who appeared to be in charge of the Japanese issued certain orders to the accused YOSHIOKA and this accused commenced to beat and continued beating Sepoy SUCHA SINGH until he fell to the ground in an unconscious condition. After that all ranks were ordered to fall in and the accused YOSHIOKA made them stand to attention for the whole night without food or rest. The accused YOSHIOKA spoke to Lt SAKSENA and asked him why he would not wear the badges and Lt SAKSENA told him they were PW and would wear Indian badges of rank only. The accused then struck him several blows. The Indian troops were then released on the condition that the question of wearing Japanese badges would be discussed among themselves. On 28 May 45 Lt SAKSENA was called out from parade after evening roll call by Lt TAKEDA and was asked why he had not reported as arranged. Lt SAKSENA said he had reported but that he (Lt TAKEDA) was absent. He further said that on 27 May 46 PAKHA SINGH and UJAGAR SINGH had been questioned regarding the badges and they had again refused to wear them. Lt SAKSENA still refused to wear such badges. Thereupon the accused YOSHIOKA, SAKASHITA and OKAWA and other Japanese commenced to beat all the Indians with sticks and to kick them. Lt SAKSENA was struck a severe blow on the head by the accused YOSHIOKA and fell to the ground in an unconscious condition. Lt SAKSENA was unable to leave his hut for about 15 days.

4. In regard to the 3rd Charge it was alleged that the accused MUKOHATA was the Japanese medical officer for Indian PW in camps at MINIMISAKI and KOKOPO in 1944. On one occasion when Indian PW were moving from MINIMISAKI to KOKOPO a distance of 6 miles, there were 40 Indians suffering from ulcers and beri beri. Lt SAKSENA requested the accused MUKOHATA to provide transport for these patients but it was refused. The accused MUKOHATA came to see the patients. He was carrying a bamboo stick and he beat them with the stick saying that if they could not walk that distance he would shoot them. It took the patients approximately 7 hours to cover the distance and on their arrival they were ordered to return and carry rations. The carrying of rations continued for about a week. As a result of this heavy work at least one Indian died. Lt SAKSENA treated patients as best he could with medicine in his possession. From that time no medicine was supplied until the date of the Japanese surrender. Repeated applications were made to the accused MUKOHATA by Lt SAKSENA, but he was told everything was for the Japanese fighting soldiers. Lt SAKSENA asked to be paraded to a superior officer. The accused MUKOHATA said "For you we are everything". "You surrendered at SINGAPORE unconditionally". "It is our will to treat you as we like and if you say a single word more we will skin you and your men".

5. Each of the accused gave evidence in his defence.

The defence of the accused OKAWA and YOSHIOKA to the 2nd Charge was in substance as follows:-

- (a) The accused OKAWA admitted there was trouble in regard to the attempt to issue Japanese rank badges. He stated that 2/Lt TAKEDA ordered the accused YOSHIOKA to strike the Indian officers. He slapped them with his hand and then 2/Lt TAKEDA struck them with his sword scabbard for about 3 or 4 minutes. He denied that although he was present at the scene he did not take part in the beatings.
- (b) The accused YOSHIOKA admitted slapping the Indian officers pursuant to orders of Lt TAKEDA. The slapping occurred as a result of the attempt to issue Japanese badges of rank. The attitude of the Indian officers was very arrogant and disobedient when asked why they would not wear the badges. Because 2/Lt TAKEDA considered the slapping carried out by the accused YOSHIOKA was not severe enough he struck the Indians with his sword scabbard.

6. The defence of the accused MUKOHATA to the 3rd Charge was in substance as follows:-

He admitted that there was a shortage of medical supplies and because Indians had informed him that Lt SAKSENA was using the medicines to treat Indians who were his favourites he (the accused) had withdrawn all medical supplies and issued them as required. The supply shortage consisted of anti malarial drugs and antiseptics. He contended that he gave Indians the same medical attention as the Japanese received. He admitted however that a very large number of Indians died whilst under his charge.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 110

AWC No. 2768

Accused: Sgt SAHASHITA Norio

Aust W.C. List Ser No.

Court, Place, Date and Formation: Habaul
9 July 46
8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT of a prisoner of war at KOMORIYAMA in Feb 1945 cruelly beat Sweeper MAUGLI of 5/11 Sikh Regt an Indian PW.	Not guilty	Guilty

Precis of Evidence: 1. The evidence for the prosecution was documentary and consisted of a written statement made by PAKHAR SINGH and the interrogation of the accused reduced to writing and signed by him. The substance of the evidence was as follows :- Sweeper MAUGLI was a PW in Japanese hands at KOMORIYAMA. About the middle of Feb 45 MAUGLI was suffering from ulcers and was ordered by the accused to carry out fatigue duty in a garden. MAUGLI said it was the order of Lt TAKEDA and MAUGLI was taken before the Japanese officer by the accused. The Indian told TAKEDA he was unable to work on account of the ulcers. The Japanese officer and the accused both beat the Indian until he fell to the ground in an unconscious condition. The beating also caused the ulcers to bleed freely. When he regained consciousness MAUGLI was sent on fatigue. At this time he could hardly walk and a few days later the ulcers were in such a bad condition he was unable to walk. He was then excused from fatigues but he was not given (P.T.O.)

Sentence and Date: To be imprisoned for 2 years - 8 Jul 46.

Confirmation and by Whom: Lt Gen. V. A. H. Sturdee.

Promulgation: Confirmation of finding and sentence promulgated to accused on 27 Nov 46

Petition: Petition lodged 19 Jul 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.

any medicine. He died on 1 Mar 48.

2. The accused gave evidence in his defence. He denied the charge. He admitted that he knew an Indian named "NAGLY" who was very old and employed in the house of the Section Commander as a sweeper and doing minor jobs. The Indian was never employed under him on gardening work as he was too old and too sick. He heard that NAGLY died but as the Indian was never under his control he was not interested.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 109

Accused: **Sgt Maj YOSHIOKA Sakitaro**
Cpl MORISAKI Takeichi
Cpl YAMAGUCHI Kiji

AWC No. **2760, 2740, 2760**

Aust W.C. List Ser No.

Court, Place, **RABAU**
Date and **8 & 9 July 1946**
Formation: **8th Military District**

Charge(s)	Plea	Finding
SEE ATTACHED		

Precis of Evidence: 1. The evidence for the prosecution on all charges was documentary and was contained in written statements made by seven Indians members of the Indian Army who were PW in Japanese hands, and the interrogation of each of the accused reduced to writing and signed by them.
2. The substance of the evidence in respect of the 1st charge was as follows:-
KUNDAN SINGH and HEMAR SINGH were carrying out duty guarding a tanioca garden. They met a native carrying vegetables in a basket and HEMAR SINGH gave him some biscuits in exchange for vegetables. The accused MORISAKI who was in charge of the Indians found the vegetables and he beat both the Indians with a heavy stick which he always carried. The Indians endeavoured to explain how they came into possession of the
(over)

Sentence and Date: Accused YOSHIOKA - TO BE IMPRISONED FOR 5 YEARS 9 July 46
" MORISAKI - " " " " 2 YEARS 9 July 46
" YAMAGUCHI - " " " " 6 MONTHS 9 July 46

Confirmation and by Whom: *Lt-Gen V. A. H. Sturdee*

Promulgation: *Confirmation of findings and sentences promulgated to accused on 27 Nov 46*

Petition: **Petitions lodged 30 July 46 by accused YOSHIOKA and MORISAKI against findings and sentences.**

J.A.G.'s Report on Petition: **Confirm findings and sentences and dismiss petitions.**

Action on Petition: *Dismissed*

Filed in Attorney-General's Department and Numbered.....

vegetables but the accused would not listen. The beating lasted for about 15 minutes and later the accused YOSHIOKA struck them and kicked them a number of times. He said "Bangers we will cut your hair which will keep you safe". They were taken before Lt TAKEDA and the accused KUNDAN SINGH told him he was in no way connected with the acquiring of the vegetables". Both Indians were told that they were guilty. They were tied to a tree by the accused MORISAKI. The accused YOSHIOKA beat both Indians severely and then cut off their beards with a pair of scissors. Both Indians pleaded to be shot rather than have their beards removed. They struggled and they were beaten for doing so. Their beards were eventually cut off.

3. Both accused gave evidence in their defence in respect of the 2nd charge. The accused YOSHIOKA denied all knowledge of the facts in respect of this charge. The accused MORISAKI stated that he found the Indians in possession of cucumbers and egg plants. When questioned as to how they came into possession of the foodstuffs, they did not answer. He slapped them two or three times and then took them to 2nd Lt TAKEDA and detailed the case to him. Lt TAKEDA dismissed him and he did not hear anything further regarding the punishment of the Indians. The accused YOSHIOKA denied all knowledge of the facts appertaining to this charge and denied having any dealings with the Indians referred to at all.
4. In regard to the 2nd charge the substance of the evidence for the prosecution was as follows:- KUNDAN SINGH, SUBDIAL SINGH and SULAKAN SINGH were carrying out fatigues in collecting foodstuffs. On 26 May 45, certain quantities had been collected but a pile of the foodstuffs at one spot had been missed. This was on the jungle side of the area, and the Indians had forgotten it. On the next day the accused YAMAGUCHI found this pile and he accused the Indians of theft. The Indians made their explanations but the accused did not believe them. He proceeded to beat them with a rough stick. The Indians alleged that one beating continued for a long period. They were then taken before 2nd Lt TAKEDA. The Indians again protested that they were innocent of the theft. TAKEDA ordered that the hair and the beards of the Indians be cut off. Their hands were tied behind their backs, and the accused YOSHIOKA cut off their hair and beards. The accused MORISAKI and YAMAGUCHI stood guard over the Indians and every time they moved they were struck with sticks until they were practically in an unconscious condition.
5. Each of the accused gave evidence respecting the 2nd charge. The accused YOSHIOKA denied that he had taken part in the alleged assaults. The accused MORISAKI also denied that he took any part in the alleged assaults. The accused YAMAGUCHI alleged that 2nd Lt TAKEDA had beaten the Indians and that when he had asked to be permitted to punish the Indians he had done so by slapping them on the face. Later 2nd Lt TAKEDA ordered the Indian officers to cut off the hair and beards of the three Indians and they carried out the order. He further alleged that neither the accused YOSHIOKA nor MORISAKI were present at the time.
6. In regard to the 3rd charge the substance of the evidence for the prosecution was as follows:- On 2 Nov 45 a party of Indians were ordered to move from KUMHIVANA to NAGA NAGA. Of the party about 30 were suffering from ulcers and 50 from malaria. The whole party had to move on foot a distance of 3 miles where transport was available. Most of the sick Indians had to be carried on the backs of Indians who were well enough to do so. This task occupied a considerable time and the accused YOSHIOKA repeatedly beat both the sick and healthy Indians in order to make them move more quickly.
7. The accused gave evidence in his own defence in regard to this charge. He alleged that the Indians were very obedient and there

was no necessity to strike them.

8. In respect of the 4th charge the substance of the evidence was as follows:- In the evening of the 23 May 45 after roll call of Indian PW, the officers and NCO were dismissed. The accused YOSHIOKA produced Japanese badges of rank and commenced to distribute them. Lt SAKSENA an Indian Army Officer had issued strict instructions that badges of rank were not to be accepted. 2nd Lt TAKEDA was present and he gave certain orders to the accused and the accused then commenced to beat Sepoy SUCHA SINGH and continued until he fell to the ground in an unconscious condition. The accused YOSHIOKA then asked Lt SAKSENA why the Indians would not wear the badges and Lt SAKSENA said that Indians were PW and were not obliged to wear the badges. The accused struck Lt SAKSENA a number of blows. Lt SAKSENA was ordered to give further consideration to the wearing of the badges and report to 2nd Lt TAKEDA at a later date. On reporting later he again refused to order his men to wear the badges. He was then struck a heavy blow on the head by the accused YOSHIOKA and rendered unconscious. As a result of the assault Lt SAKSENA was ill for 15 days.
9. The accused YOSHIOKA gave evidence in his own defence. As a result of Lt SAKSENA refusing to wear Japanese badges of rank, the accused alleged that he was ordered by 2nd Lt TAKEDA to beat the Indian officer. The accused admitted striking Lt SAKSENA with his open hand and that as Lt TAKEDA considered the beating far too lenient he (Lt TAKEDA) beat Lt SAKSENA with his sword sheath.

Attachment to AAF A117(a)

LIST OF CHARGES

Charge(s)	Plea	Findings
ILL TREATMENT OF PRISONERS OF WAR		
(1) (Against all accused except accused YAMAGUCHI) at KOMORIYAMA about 24 Apr 1945 ill treated 8409 Sepoy HENAR SINGH and 11241 L/Naik KUNDAN SINGH of 3/16 Punjab Regt, Indian PW.	Both accused Not Guilty	Both accused Guilty
(2) (Against all accused) At KOMORIYAMA on or about 26 May 1945 ill treated L/Naik KUNDAN SINGH L/Naik GURDIAL SINGH and 13267 Sepoy SULAKAN SINGH of 3/16 Punjab Regt Indian PW.	All accused Not Guilty	All accused Guilty
(3) (Against the accused YOSHIOKA only) near PIJIMITAI on or about 2 Jan 1945 beat Indian PW.	Not Guilty	Guilty
(4) (Against the accused YOSHIOKA only) At KOMORIYAMA about 23 May 1945 beat Lt R.K. SAKSINA and Sepoy NUCHA SINGH of 3/11 Punjab Regt Indian PW	Not Guilty	Guilty

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2620

Accused: Cpl YAMADA Tsutomu

Aust W.C. List Ser No.

Court, Place, RABUL
Date and 17 June 1946
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR (1) In that he at KOKOPO about 7 June 1943 illtreated Pte FOO CHONG YAN a Prisoner of War (2) In that he at KOKOPO about 4 June 1944 illtreated Pte CHUN PIN a Prisoner of War.	NOT GUILTY ON BOTH CHARGES	GUILTY ON BOTH CHARGES

Precis of Evidence: 1. In connection with the first charge evidence was given for the Prosecution by W/O LIE KUAN who was a member of the Chinese National Army and was a Prisoner of War in Japanese hands at KOKOPO. The witness stated (inter alia) that neither he nor FOO CHONG YAN could understand the Japanese language. On 7 June 43 the accused ordered the witness and FOO CHONG YAN to go to work but the order was not understood. The accused then began to punch FOO CHONG YAN with his closed fist on the head and body. FOO CHONG YAN fell to the ground in a semi-conscious condition and while he was on the ground the accused kicked him 4 or 5 times. As a result of the punching and kicking the said FOO CHONG YAN sustained bruises and swellings on the face. He also sustained an injury to his side as a result of the kicking and he was still suffering from this injury in June 1946.

(Over)

Sentence and Date: TO BE IMPRISONED FOR 3 YEARS - 17 June 1946

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Lodged 28 June 1946 against findings and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

PRECIS OF EVIDENCE (CONTD):

2. In connection with the second charge evidence for the prosecution was also given by W/O LIE KUAN which was corroborated in the main by Pte CHUN PIN (named in the second charge). The substance of the evidence was that on 4 June 44 there was an air raid by Allied planes and a warehouse was directly hit. The accused ordered LIE KUAN and CHUN PIN to go to the damaged warehouse and pick out the tinned foodstuffs that were undamaged but everything was in a bad state and they could not find anything of use. The witnesses reported the fact to the accused and he accused them of telling lies and stealing the food for their own use. The accused commenced to punch CHUN PIN and then the accused removed his shirt and continued the punching. The accused then took up a stick about three feet in length and two inches in diameter and proceeded to beat CHUN PIN with such stick. The stick was in fact a hoe handle. CHUN PIN was struck many blows with the stick on the head and body and when he fainted the accused stopped the assault. CHUN PIN was placed in the shade of a tree and he remained there for some two hours before he was able to resume work. As a result of the blows CHUN PIN's head was caused to bleed and there were bruises on his body. He did not sustain any permanent injuries.

3. In regard to the first charge the accused denied the alleged assault and stated that he had not struck or kicked any Chinese about June 43.

4. In regard to the second charge the accused alleged that in April 44 he moved to a place called KURANAKUNEL about 12 miles distant from KOKOPO where only Indians were employed and at the time of the alleged assault he was still at KURANAKUNEL. A witness named Lt. OOISHI was called for the defence. He gave evidence to the effect that the accused was of good character and that he was "gentle and diligent in his duty." The witness also alleged that at the time of the assault as shown in the second charge the accused was at KURANAKUNEL.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No. 2893

Accused: Cpl NAKAMURA Kameo

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 15 June 1946
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR at MANGO about April 1945 namely Pte PONG YEN SHUNG a Prisoner of War	Not Guilty	Guilty

Precis of Evidence: Pte PONG YEN SHUNG, a member of the Chinese Army, was a PW in Japanese hands at MANGO New Britain. At about 1500 hrs in April 1945 PONG YEN SHUNG was engaged by the Japanese in collecting coconut oil. The accused told him to hurry with his work as on the previous day he had only collected a bottle and a half of oil instead of two bottles. PONG YEN SHUNG told the accused he was suffering from malaria and it was hard enough to collect a bottle and a half each day. The accused became angry and hit him on the head with a small bamboo stick. He then threw the stick away and struck PONG YEN SHUNG on the head and stomach with his clenched fist. He fell to the ground and the accused then kicked him once on the head with wooden clogs which he was wearing. The accused sent him back to his quarters. Next morning PONG YEN SHUNG told the accused he was unable to work and the accused started to beat him again. As a result of the kick on the head received by PONG YEN SHUNG on the previous day the skin was broken and a permanent scar remained. PONG YEN SHUNG gave evidence to the above effect and such evidence (over) He had his head bandaged for about a week.

Sentence
and Date: To be imprisoned for 4 years - 15 Jun 46.

Confirmation
and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Lodged 22 Jun 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No. 2893

Accused: Cpl NAKAMURA Kameo

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 15 June 1946
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR at MANGO about April 1945 namely Pte PONG YEN SHUNG a Prisoner of War	Not Guilty	Guilty

Precis of Evidence: Pte PONG YEN SHUNG, a member of the Chinese Army, was a PW in Japanese hands at MANGO New Britain. At about 1500 hrs in April 1945 PONG YEN SHUNG was engaged by the Japanese in collecting coconut oil. The accused told him to hurry with his work as on the previous day he had only collected a bottle and a half of oil instead of two bottles. PONG YEN SHUNG told the accused he was suffering from malaria and it was hard enough to collect a bottle and a half each day. The accused became angry and hit him on the head with a small bamboo stick. He then threw the stick away and struck PONG YEN SHUNG on the head and stomach with his clenched fist. He fell to the ground and the accused then kicked him once on the head with wooden clogs which he was wearing. The accused sent him back to his quarters. Next morning PONG YEN SHUNG told the accused he was unable to work and the accused started to beat him again. As a result of the kick on the head received by PONG YEN SHUNG on the previous day the skin was broken and a permanent scar remained. PONG YEN SHUNG gave evidence to the above effect and such evidence (over) ϕ He had his head bandaged for about a week.

Sentence
and Date: To be imprisoned for 4 years - 15 Jun 46.

Confirmation
and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDIE

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Lodged 22 Jun 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

was corroborated in substance by Lt LAW MO LIN.

2. Evidence for the defence was given by the accused and a witness medical Capt WADA Masahisa. The accused denied the accused as alleged but admitted that in about May 1945 he had slapped PONG YEN SHUNG twice for stealing biscuits. Medical Capt WADA gave evidence that he had treated PONG YEN SHUNG on a number of occasions for malaria and that he had not seen him with his head bandaged.

DPW(AG13(2a))WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2887

Accused: Cpl SUZUKI Denshiro

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 14 and 15 June 1946
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR in that he at NAMARIA about 12 May 45 illtreated W/O WOO SUI KIN a prisoner of war.	NOT GUILTY	GUILTY

Precis of Evidence:

- The Chinese named in the charge was a prisoner of war in the hands of Japanese at Namaria and he was used as a labourer. On 12 May 45 the accused ordered WOO SUI KIN to collect firewood for cooking purposes. At about the same time he was ordered to unload foodstuff from a truck by another Japanese soldier and he went to obey this second order. He told the accused why he had not obeyed his order. The accused then struck WOO SUI KIN about forty blows with his clenched fists on the head and chest. As a result of the assault Woo Sui Kin was unable to eat for three days and was unable to walk for a month.
- The accused admitted knowing Woo Sui Kin but denied having ever struck him. He alleged that at the time in question he was not in contact with the Chinese labourers and was engaged solely on clerical duties.

Sentence
and Date: TO BE IMPRISONED FOR 3 YEARS - 15 June 46

Confirmation
and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to the accused
on 9 Oct 46.

Petition: Lodged 27 June 46 against finding and sentence

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No. 2658

Accused: Sgt SHIGETA Toshio

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 14 Jun 1946
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT of a prisoner of war at New Britain about 8 April 1945 ill-treated Pte FOONG SIN MIN.	Not Guilty	Guilty

Precis of Evidence: 1. Pte. FOONG SIN MIN, along with other members of the Chinese National Army were PW in Japanese hands at New Britain. A quantity of rice had been stored in a tunnel for use by the Chinese. On 8 Apr 45 FOONG SIN MIN and other Chinese took out some of the rice to cook and found that it was rotten. FOONG SIN MIN spoke to the accused about the state of the rice but the accused could not understand Chinese and FOONG SIN MIN could not understand Japanese. The accused then took a stick and beat FOONG SIN MIN all over the body. He also kicked him causing him to faint. The accused again kicked FOONG SIN MIN. The stick with which the beating was given was about four feet in length and 1½ inches in diameter.
2. The accused gave evidence in his defence and he denied the assault as alleged. He also denied having given the Chinese bad rice for cooking. He admitted that in Apr 45 he slapped FOONG SIN MIN several times for quarrelling with a Formosan named YEJIMA. YEJIMA had alleged that FOONG SIN MIN had stolen rice for the Chinese. The accused denied having ever ill-treated the Chinese.

Sentence and Date: To be imprisoned for 2 years - 14 Jun 46.

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to the accused on 9 Oct 46.

Petition: Petition lodged 26 Jun 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered:

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2245

Accused: Sgt Maj SHIMADA Kazuyoshi

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 29 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT at NEW GUINEA in or about July - Dec 44 of a number of Indian PW	NOT GUILTY	GUILTY

Precis of Evidence:

1. A number of Indian Army personnel were PW in Japanese hands at PAROM NEW GUINEA and were used by the Japanese for fatigue duties.
2. In or about July 1944 two Indian soldiers namely Sepoy Dalip Singh and Sepoy Ujagar Singh were detailed as night sick attendants to a Japanese officer suffering from dysentery and malaria. During the night the Japanese officer died. In the early hours of the morning the accused entered the officer's hut and found that he had died. The Indians were severely beaten by the accused and another Japanese Corporal. Both Indians were seriously injured by the beating and both died 4 or 5 days later.
3. In or about Sep 44 a Sepoy named RAM SINGH was a member of a party detailed to collect timber for the purpose of erecting sleeping platforms for the (Over)

Sentence and Date: 2 YEARS IMPRISONMENT - 29 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 30 Aug 46.

Petition: Lodged 5 June 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

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Precis of Evidence (contd):

Japanese. On account of ill health this Indian was unable to carry the same loads of timber as other Indians. The accused struck him with a heavy stick until he fell to the ground. He was taken to his hut in a seriously injured condition and was not allowed any food for four or five days. He subsequently died.

4. In or about Dec 44 three Indian soldiers were constructing a sleeping platform in a hut occupied by the accused. One of the Indians L/NK KASHMIR SINGH found some salt and was tasting it when he was observed by the accused. The accused attacked the Indian with a heavy stick and continued striking him until he fell to the ground in a semi-conscious condition. He managed to crawl to his hut and remained there until he died four days later.

5. The defence of the accused was a general denial that he assaulted any of the Indians above referred to and at the times stated he was suffering from malaria.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R100 Ques 97

AWC No. 2109, 2134

Accused: Civilian Officer YAMAMOTO Hisashi
Minor Civ. " KATAYAMA Fuminiko

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 30 and 31 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER		
(1) At RAMATA in or about April 1945 of TOPELIS a native of NEW BRITAIN	NOT GUILTY on both charges	GUILTY on both charges
(2) At RAMATA in or about April 1945 murdered TOKELE a native of NEW BRITAIN		

Precis of Evidence: 1. The deceased were natives of New Britain and in April 1945 they were being employed by the Japanese at RAMATA New Britain as labourers. Both the deceased had escaped from the Japanese and were incarcerated. TOPELIS again escaped from prison and was arrested some ten days later by Police Boys who were working for the Japanese. The accused YAMAMOTO was a Police Inspector and was in charge of the Detachment of Japanese at RAMATA. The accused KATAYAMA was in charge of the native police boys and he treated natives suffering from slight ailments. On the arrest of the deceased TOPELIS, the accused YAMAMOTO gave orders through the accused KATAYAMA for TOPELIS to be tied to a tree. About 10 police boys were then ordered to give TOPELIS ten blows each with a thick cane about 5 feet in length. Whilst the flogging was taking place both the accused were standing nearby. The deceased TOPELIS was screaming out in pain and the accused also beat him and one of them said (Over)

Sentence	Accused YAMAMOTO H.	TO SUFFER DEATH BY HANGING - 31 May 46
and Date:	" KATAYAMA F.	TO BE IMPRISONED FOR 5 YEARS - 31 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to each accused on 5 Nov 46. Accused YAMAMOTO executed by hanging on 6 Nov 46 at RABAU.

Petition: Lodged 13 June 46 against findings and sentences

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

Precis of Evidence (contd):

"You shut up, you trouble maker." The deceased TOPELIS was then released and two natives assisted him back to the prison. The accused ordered that he should be kept in prison and not be given any food or water. On arrival at the prison the police boys helped him to lie down and he was calling out in pain. He was not given any food or water and 4 days later he died. The deceased TOKELE was in prison at the time of the assault on the deceased TOPELIS. He had been in prison for a considerable time. The accused ordered that TOKELE should not be given any food or water. The deceased TOKELE was not in good health at the time and he died shortly after the deceased TOPELIS. Neither of the deceased received any medical treatment at all. Evidence to the above effect was given by four witnesses for the prosecution.

2. The accused both gave evidence in their defence. They denied ordering the beatings by the police boys and also denied that they were present thereat. They stated that they saw the deceased TOPELIS immediately after his capture and they alleged he had been beaten by the police boys when they captured him. Evidence was given by witnesses called on behalf of the accused to the effect that both the deceased were given food and water and that they had seen TOPELIS when he was recaptured and he bore evidence of having been beaten at that time.

* DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

1177 Ans 98

AWC No. 173

Accused: Pte FUKUSHIMA Masao

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 30 and 31 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at RANAU on or about 4 Jul 45 of Pte Richard BIRD of Australian Imperial Force.	NOT GUILTY	GUILTY

Precis of Evidence: Evidence was given for the prosecution by Bdr W.D. MOXHAM, Mr. Keith BOTTERILL and WO1 W.H. STICPEWICH. The witnesses together with the deceased and other Australians were PW at No.2 Jungle Camp Renou Borneo. The substance of the evidence of the witnesses Moxham and Botterill is as follows : At about 1400 hrs on or about 5 Jul 45 these witnesses were on parade with other prisoners of war waiting to move off into the jungle with working parties. The working parties were used by the Japanese for the collection of bamboos building material and food stuffs. The accused was arranging the prisoners of war in parties and some of such parties were not up to strength. He went to the prisoner of war lines and returned with some men who had been detailed to remain in camp on account ill-health. The deceased was among these men and he was suffering from a fairly large ulcer on his left leg. The party in which the deceased was placed moved off and when it had proceeded about 15 yards it was noticed that the deceased had fallen to the rear. The party was brought to a halt (Over)

Sentence and Date: TO SUFFER DEATH BY HANGING - 31 May 46

Confirmation and by Whom: Finding and sentence NOT confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Non-confirmation of finding promulgated to accused on 9 Oct 46.

Petition: Lodged 11 June 1946 against finding and sentence.

J.A.G.'s Report on Petition: That the finding and sentence should not be confirmed as accused had been acquitted on the first trial and the Court had no jurisdiction to conduct a second trial on the same charge.

Action on Petition: Upheld.

Filed in Attorney-General's Department and Numbered.

Precis of Evidence: (contd):

and the accused approached him. The deceased said he was too ill to proceed. The accused then struck him on the face with his open hand and the deceased pleaded to be allowed to return to the lines. The accused told the deceased he would have to go on with the party and struck him heavily several times with his open hand till the deceased fell to the ground. Whilst on the ground the accused who was wearing Japanese Army leather boots kicked him 4 or 5 times on the head and neck. An Australian Interpreter intervened and he was struck on the face by the accused. The accused then appeared to become very excited and kicked the deceased with great vigor all over his body and particularly in the stomach testicles legs and arms. The party then moved off and at that time there was blood on the deceased's face and he appeared to be unconscious. At about 1700 hrs on the same day the party returned and the deceased was still lying on the roadway. Australian prisoners carried the deceased to the lines and placed him on a ground sheet on the ground. No sleeping facilities were provided. The deceased was in a semi-conscious condition. He complained of his stomach and was coughing and vomiting blood. Next morning the deceased was found to be dead.

2. The witness, STICPEWICH, gave evidence regarding an assault by the accused on the deceased on the morning of 5 July 45. On this occasion the accused kicked the deceased three or four times but the witness did not consider this assault would cause death. He saw the deceased in the lines in the evening. He had been bleeding from one ear and was considerably marked on the face. He had a discussion with Japanese doctors who examined the deceased. They did not give the deceased treatment as they apparently considered it useless. It was generally considered that the deceased had been ill treated by the accused. Next morning when the witness was preparing a parade state of prisoners it was found that the deceased had died during the night. He assisted at the burial of the deceased. He then observed extensive bruises on the face chest and shoulders of the deceased.

3. The accused gave evidence in his defence and a witness was also called for the defence. The accused denied the assault as alleged. He stated (inter alia) that he had nothing to do with the mustering of prisoners of war for working parties and he was mainly concerned with clerical duties. He also said that at all material times namely on 4 Jul 45 he was attending to the funeral rites of a Japanese officer who had been shot by another Japanese and on 5 Jul 45 he was engaged in enquiries relating to the death of the said Japanese officer and at a meeting of Japanese when they were addressed by a Japanese officer regarding the shooting of such officer. In substance the witness corroborated the evidence of the accused.

4. The accused was presented on the same charge on 28/29 May 46 and was acquitted. On this first trial the evidence of the witness, Sticpewich, was not adduced but apart from this fact the evidence was practically similar to that brought forward on this trial.

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Precis of Evidence: (contd):

and the accused approached him. The deceased said he was too ill to proceed. The accused then struck him on the face with his open hand and the deceased pleaded to be allowed to return to the lines. The accused told the deceased he would have to go on with the party and struck him heavily several times with his open hand till the deceased fell to the ground. Whilst on the ground the accused who was wearing Japanese Army leather boots kicked him 4 or 5 times on the head and neck. An Australian Interpreter intervened and he was struck on the face by the accused. The accused then appeared to become very excited and kicked the deceased with great vigor all over his body and particularly in the stomach testicles legs and arms. The party then moved off and at that time there was blood on the deceased's face and he appeared to be unconscious. At about 1700 hrs on the same day the party returned and the deceased was still lying on the roadway. Australian prisoners carried the deceased to the lines and placed him on a ground sheet on the ground. No sleeping facilities were provided. The deceased was in a semi-conscious condition. He complained of his stomach and was coughing and vomiting blood. Next morning the deceased was found to be dead.

2. The witness, STICPEWICH, gave evidence regarding an assault by the accused on the deceased on the morning of 5 July 45. On this occasion the accused kicked the deceased three or four times but the witness did not consider this assault would cause death. He saw the deceased in the lines in the evening. He had been bleeding from one ear and was considerably marked on the face. He had a discussion with Japanese doctors who examined the deceased. They did not give the deceased treatment as they apparently considered it useless. It was generally considered that the deceased had been ill treated by the accused. Next morning when the witness was preparing a parade state of prisoners it was found that the deceased had died during the night. He assisted at the burial of the deceased. He then observed extensive bruises on the face chest and shoulders of the deceased.

3. The accused gave evidence in his defence and a witness was also called for the defence. The accused denied the assault as alleged. He stated (inter alia) that he had nothing to do with the mustering of prisoners of war for working parties and he was mainly concerned with clerical duties. He also said that at all material times namely on 4 Jul 45 he was attending to the funeral rites of a Japanese officer who had been shot by another Japanese and on 5 Jul 45 he was engaged in enquiries relating to the death of the said Japanese officer and at a meeting of Japanese when they were addressed by a Japanese officer regarding the shooting of such officer. In substance the witness corroborated the evidence of the accused.

4. The accused was presented on the same charge on 28/29 May 46 and was acquitted. On this first trial the evidence of the witness, Sticpewich, was not adduced but apart from this fact the evidence was practically similar to that brought forward on this trial.

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AUSTRALIAN MILITARY FORCES

DPW(AG13(2a))/WMcL /AR.

AAF A117(a)
(Introduced Jan 46)
HQ AMF Use Only

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2617

Accused: Sgt MUKAI Isao

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 6 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR (1) in that at NEW BRITAIN in or about Jan 44 he cruelly beat water carrier ABDUR REHMAN of 1/14 Punjab Regt a Prisoner of War. (2) in that at NEW BRITAIN in or about Mar 45 cruelly beat Sepoy GULZAMAN of H.K.S.R.A. a Prisoner of War.	NOT GUILTY ON BOTH CHARGES	GUILTY ON BOTH CHARGES.

Precis of Evidence: 1. The evidence for the prosecution on the first charge consisted of a statement in writing made by the said ABDUR REHMAN. The said REHMAN along with other personnel were members of the Indian Army and were Prisoners of war in Japanese hands. In Jan 44 the said REHMAN was a member of a fatigue party handling rations at a supply store. At about 1000 hrs they were told they could take half an hour for a meal. After about fifteen minutes had expired the accused called the party back to work. The said REHMAN returned later than some of the others and the accused commenced to beat him. He hit the said REHMAN with a stick on the head and body until he fell to the ground. The accused then kicked him until he lost consciousness. The beating lasted for about twenty minutes and there were still scars on the said REHMAN's head on 17 Nov 45. He was carried to where the fatigue party was working and then permitted to rest.

(Over)

Sentence and Date: TO BE IMPRISONED FOR TWO YEARS - 6 June 46.

Confirmation and by Whom: Finding on first charge not confirmed. Finding and sentence on second charge confirmed by Lt-Gen V.A.H. STURDEE.

Promulgation: Non-confirmation of finding on first charge and confirmation of finding and sentence on second charge promulgated to accused on 9 Oct 46.

Petition: Lodged June 46 against findings and sentence.

J.A.G.'s Report on Petition: That in respect of the first charge the finding and sentence be NOT confirmed. That in respect of the second charge the finding and sentence be confirmed and the petition in this regard be dismissed.

Action on Petition: Petition upheld in so far as it relates to finding on first charge otherwise Petition dismissed.

Filed in Attorney-General's Department and Numbered.

PRECIS OF EVIDENCE (CONTD):

2. The accused denied the charge and stated that he was not present at the place where the prosecution alleged that the assault took place. The defence called a witness Lt INOUE SHOJIRO who also stated that the accused was not in the area when and where the alleged assault took place.

3. The evidence adduced by the prosecution in respect of the second charge consisted of written statements made by Sepoy GULZAMAN and Gnr's ABDUL ROZAR and MISTRI KHAN. The statement made by the said GULZAMAN contained the following facts. In Mar 45 he was returning to camp having acquired some tapioca from a native. A Japanese Sgt named NOMI questioned the said GULZAMAN about the tapioca and the said GULZAMAN told him he bought it from the native. NOMI then took the said GULZAMAN to a Lt named ITO and NOMI in the presence of ITO beat the said GULZAMAN with a stick and made him walk about carrying a petrol drum for about an hour. Later NOMI took GULZAMAN to his (NOMI's) quarters and he was joined by the accused and another Japanese named TAKAI. The accused and the other two Japanese proceeded to beat the said GULZAMAN with sticks and belts. GULZAMAN was tied to a tree with his hands behind his back for about 8 hours. At about 2000 hrs the said NOMI summoned the whole Indian Unit (about 100 men) and ordered every man to give the said GULZAMAN one slap. As a result of these slappings the said GULZAMAN was rendered unconsciousness. The witnesses ABDUL ROZAR and MISTRI KHAN in their statements corroborated the statements of the said GULZAMAN in regard to beatings by the accused with sticks and belts.

4. The accused in his defence to the second charge admitted he had slapped some Indians who had bought food from natives but could not recall their names.

7

AUSTRALIAN MILITARY FORCES

AAF A117(a)
(Introduced Jan 46)
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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2808,2806

Accused: S/M OKIMURA Shigeru
Cpl KASAI Eisaku

Aust W.C. List Ser No.....

Court, Place, RABAUL
Date and 6 June 1946
Formation: 3th Military District

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR at Kumariya, New Britain about March 45 of No.899 Sepoy JASMAL KHAN of 1 Bn Hyderabad Inf a Prisoner of War.	Not Guilty	Both accused guilty.

Precis of Evidence: 1. The said Jasmal Khan was accused of **stealing** a cup of rice. He was beaten for a considerable time by both accused and next day he reported that he was very sick as result of the beating but he was made to continue fatigue duties. For some time thereafter the said Jasmal Khan was given frequent daily beatings by the accused. No reason was given for such daily beatings. As a result of these assaults the said Jasmal Khan lost one of his upper teeth.

2. Both the accused in their defence denied the assaults as alleged. The accused KASAI admitted remonstrating with the said Jasmal Khan and said "I hit him on his behind with my hand about 10 times." The accused OKIMURA denied striking the said Jasmal Khan. Among other things he said "I am sure that it was not when KASAI hit Jasmal Khan that he lost his upper teeth."

Sentence and Date: Accused OKIMURA - 18 months imprisonment - 6 June 46.
" KASAI - 1 year " " "

Confirmation and by Whom: Finding and sentences confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to each accused on 30 Aug 46.

Petition: Lodged 18 June 46 by both accused against finding and sentences.

J.A.G.'s Report on Petition: Confirm finding and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

DPW(A013(2a))/WMcL/AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2865

Accused: S/N MINOMIYA Kichi

Aust W.C. List Ser No.

Court, Place, Date and Formation: RABAU
8 June 1946
SMD

Charge(s)	Plea	Finding
ILLTREATMENT OF PRISONERS OF WAR in that at NEW BRITAIN at times unknown failed to provide prisoners of war with proper food	NOT GUILTY	GUILTY

Precis of Evidence: 1. The evidence for the prosecution consisted of a written statement made by Lt A. PATEL an Indian Army medical officer and the interrogation of the accused reduced to writing and signed by him. The substance of the evidence was to the effect that the accused was harsh on his treatment of Indian PW and on the slightest pretext he would beat both Indian OR's and officers. At a PW Camp known as FUJIMA DAI 40 bags of rice were saved out of the Indians food ration over a period of three months. This rice was taken from the Indians by the Japanese and traded with Kanakas in exchange for vegetables for use by the Japanese. At Namaro 6 bags of rice were exchanged for more vegetables and on another occasion 14 bags of rice were also exchanged. As a result of this bartering the Indian PW were kept in a state of starvation. The accused negotiated the exchanges of the foodstuffs. Complaints were made but they only resulted in repeated assaults. Identification of the accused was proved by means of photographs.

Sentence and Date: TO BE IMPRISONED FOR ONE YEAR - 8 JUNE 1946

Confirmation and by Whom: Lt-Gen V A H STURDEE

Promulgation: Confirmation of finding & sentence promulgated to accused on 27 Nov 46.

Petition: Petition lodged on 18 June 1946 against finding and sentence

J.A.G.'s Report on Petition: Confirms finding and sentence and dismiss petition

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.

Prescis of evidence (contd)

2. The accused gave evidence in his own defence and a witness named Capt NAKAMURA Moriyuki was called on his behalf. For the defence it was admitted that there had been an exchange of rice for other foodstuffs and it was contended that such exchange benefited both Japanese as well as an Indian PW.

7

AUSTRALIAN MILITARY FORCES

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(Introduced Jan 46)
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main file*

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS) *R105*

Ans. 102

AWC No. 2024

Accused: Cpl SAKAIRI Susumu

Aust W.C. List Ser No.

Court, Place, RABUL
Date and 11 June 46
Formation: 8MD

Charge(s)	Plea	Finding
A violation of the Laws & Usages of war in that he at or near MUGUAI Mission in or about April 1944 unlawfully assaulted CHER CHEE, a Chinese National	NOT GUILTY	GUILTY

Precis of Evidence:

- The evidence for the prosecution consisted of written statements made by two Chinese nationals namely CHER CHEE and PON SEE and the accused. The substance of the evidence was as follows :- About April 1944 CHER CHEE was working in company with PON SEE at a place about 2 miles from the MUGUAI mission. They were constructing a small bridge and they were ordered to pick up a log from a tree which they had chopped down. The Chinese were unable to do so and the accused struck CHER CHEE on the face with his open hand for about five minutes. As a result of the assault twelve teeth of CHER CHEE were knocked out. They were all strong healthy teeth. The accused was identified by means of a photograph.
- The accused denied all knowledge of the charge but admitted that he had slapped CHER CHEE on two or three occasions for stealing provisions. These slappings occurred in July/August 1944. He further stated that the first time he saw CHER CHEE some of his teeth were missing.

Sentence
and Date: TO BE IMPRISONED FOR 6 MONTHS - 11 June 1946

Confirmation
and by Whom: Confirmed by Brig. A.W. WARDELL - 14 Oct 46

Promulgation: -

Petition: -

J.A.G.'s Report on Petition: -

Action on Petition: -

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL/AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2654

Accused: Cpl KATAOKA Mitsuo

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 13 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT AT NAMARIA about 5 July 1945 of Pte FOO TIN FONG, a prisoner of war.	NOT GUILTY	GUILTY

Precis of Evidence: The said FOO TIN FONG a private in the Chinese National Army, was a prisoner of war at NAMARIA New Britain. He was ordered to go to work by the accused but he could not understand the Japanese language. The accused became angry. He struck the said Foo Tin Fong with his hand and then with a stick about 3 feet long and about 2 inches thick. As a result of the beating the said FOO TIN FONG was unable to work for a week. The beating lasted for about half an hour and Foo Tin Fong had to be carried back to his quarters as he was in an unconscious condition. The accused denied the assault as alleged but admitted slapping the said Foo Tin Fong on occasions.

Sentence and Date: IMPRISONMENT FOR 2 YEARS - 13 July 1946

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Lodged 26 June 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered:

* DPW(AG13(2a)) /WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Handwritten signature/initials

AWC No. 2889

Accused: Cpl KATO, Kyuji

Aust W.C. List Ser No.

Court, Place, RABUL
Date and 13 June 46
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT at NAMARIA about 6 May 45 of Corporal LEW CHOON CHEE, a Prisoner of War.	Not Guilty	Guilty

Precis of Evidence: The said LEW CHOON CHEE together with other Chinese was a prisoner of war in Japanese hands. On 6 May 45 he was given an order by the accused in Japanese which he did not understand. He was beaten by the accused and later taken to the top of a mountain where he was beaten with a pick handle about 3 feet long and 2 inches thick. Lew Choon Chee fell to the ground and the accused then kicked him a number of times on the body. As a result of this assault he sustained a number of wounds on his body and a black eye. Lew Choon Chee was unable to work for a month and at the date of the trial he was still suffering from pains in his kidney. The evidence of Lew Choon Chee was corroborated by another Chinese.
2. The accused gave evidence in his defence and denied the assault as alleged. He stated that Lew Choon Chee had worked with him but not under him. The defence also called a Japanese witness who stated that Lew Choon Chee was never attached to the working party controlled by the accused.

Sentence
and Date: To be imprisoned for 2 years - 13 June 46.

Confirmation
and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE.

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Petition lodged 22 June 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R85

Ans 92.

AWC No.....

Accused: Sgt OKUBO Yasuaki

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 18 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL TREATMENT OF A PRISONER OF WAR by cruelly beating Sweeper MANPOOL at NEW BRITAIN about March 45	Not Guilty	GUILTY

Precis of Evidence: In March 45 Sweeper MANPOOL was very ill and unfit for work. He was attached to a platoon of Indian prisoners at THOMA. He was made to work but did it very slowly. Accused and another Japanese beat him severely about the head and body with big sticks. He became unconscious from the beating and died on 20 Mar 45. Accused denied both the beatings and that MANPOOL was under his command or known to him.

Sentence and Date: 1 years imprisonment
18 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 30 Aug 46.

Petition: Lodged Jun 46 against finding and sentence

J.A.G.'s Report on Petition: Confirmation of finding and sentence and dismissal of the petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: Capt IKEBA, Toma
Lt KATAGIRI, Osamu
Sgt OUCHI, Masao
Sgt KUSE, Yasuta

AWC No. 2000, 2002, 2009, 2010

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 17 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER AT PORTON Bougainville on or about 28 Apr 44 of an Indian	NOT GUILTY	All accused GUILTY

Precis of Evidence: The case for the prosecution was continued in statements made by the accused and in the cross-examination of each of them at their trial. The accused Capt IKEBA Toma stated that the deceased an Indian (name unknown) deserted taking with him a blanket, canteen, water bottle and bayonet. Four days later the deceased was apprehended. This accused after conferring with other Japanese officers gave orders to the accused Lt KATAGIRI Osamu to execute the prisoner by shooting. The execution was carried out by a party consisting of the accused Lt KATAGIRI Osamu who was in charge thereof, and the accused Sgts OUCHI Masao and KUSE Yasuta both of whom did the actual shooting. It was contended by the accused that the deceased was a member of the Japanese forces. The only semblance of evidence of this fact was a statement by the accused Capt IKEBA Toma that "these Indians carried arms and were issued with a Japanese Insignia of rank namely a Japanese Flag with badge of rank attached" and statement by the accused Lt KATAGIRI Osamu "that the leaders of the Indians signed an oath representing all the rest of the Indians."

Sentence and Date: Accused Capt IKEBA, Toma - Death by Hanging - 17 May 46
" Lt KATAGIRI, Osamu - 10 years imprisonment - 17 May 46
" Sgt OUCHI Masao - 1 year imprisonment - 17 May 46
" Sgt KUSE, Yasuta - 1 year imprisonment - 17 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to each accused on 12 Aug 46. Accused IKEBA executed by hanging at Rabaul on 13 Aug 46.

Petition: Submitted May 46 by all accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R81. Ans 90

AWC No. 2670

Accused: Cpl OZAWA, Saikai
(Sakoi)

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 17 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT of a prisoner of war by illtreating L/Cpl WOO CHING at MANGOR in Feb 45	NOT GUILTY	GUILTY

Precis of Evidence: In April 45 at MANGOR, the accused told WOO CHING to get food for chickens. He said he would get it in the morning as it was then too dark to see. Accused thereupon beat him with a stick 2 inches thick for half an hour. As a result he could not work for a fortnight which he spent in hospital.

Accused admitted slapping WOO CHING but denied beating him and alleged he was in hospital because he was suffering from athlete's foot.

Sentence
and Date: 3 YEARS IMPRISONMENT
17 May 46

Confirmation
and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to
accused on 16 Aug 46.

Petition: Lodged 28 May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirmation of finding and sentence and dismissal
of petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No. 2888

Accused: Paymaster Sergeant Major UO HACHIRO

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 16 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
Ill-treatment on or about 16 Apr 43 of Lt PANG DI FAT	Not Guilty	Guilty

Precis of Evidence: The case for the prosecution consisted of the evidence of the said Lt PANG DI FAT (shown in the transcript of evidence as Lt PANG DI FAI) Which was corroborated by Lt LAW MO LIN. Both these officers were PW in Japanese hands and members of the Chinese National Army. Whilst at TANOULA the said Lt PANG DI FAT was working as a labourer for the Japanese. On the day in question he was engaged in carrying boxes to a dump. The accused spoke to the said Lt Pang Di Fat in Japanese but he could not understand the Japanese language. The accused then took up a stick about 6 feet long and 3 inches in diameter and struck the said Lt Pang Di Fat a number of blows on the back and other parts of the body causing him to fall to the ground. Whilst he was on the ground the accused kicked the said Lt Pang Di Fat on the mouth and on the nose causing bleeding. The accused was wearing Japanese boots. After the assault the said Lt Pang Di Fat was carried back to his quarters by other Chinese and he was unable to work for a week. He said he suffered a considerable amount of pain. (P.T.C.)

Sentence
and Date: Imprisonment for 5 years
16 May 46

Confirmation
and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused
on 16 Aug 46.

Petition: Lodged 23 May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismissal of petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

Precis of Evidence (continued)

The accused gave evidence and denied the assault as alleged. He admitted he struck the said Lt Pang Di Fat with his open hand three or four times on occasions between April and June 43. He said the reason for these assaults was that the said Lt Pang Di Fat grumbled about his work "by expressing his grudge on his face" and that he did not try to make the other Chinese work.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2886

Accused: Sgt SATO Hiroshi

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 16 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT AT RABAU on or about Aug 43 of Cpl CHIEN HO SHEN a prisoner of war.	NOT GUILTY	GUILTY

Precis of Evidence: The accused was attached to a Japanese Supply Depot. Evidence was given for the prosecution to the effect that the said Cpl CHIEN HO SHEN had been ordered to obtain some water for the accused. The said Cpl CHIEN HO SHEN told the accused that he was carrying out an order for another Japanese soldier and would obtain the water for him when he had carried out such order. The accused then struck the said Cpl CHIEN HO SHEN 7 or 8 times with a piece of wood about 2'6" long and 2½" in diameter. During the course of the beating the said Cpl CHIEN HO SHEN fell to the ground and the accused proceeded to kick him with his boot on the body and in the mouth. The injuries sustained were the loss of three teeth and various bruises and the injured man remained in bed for a week. The accused admitted the assault, but denied the severity thereof.

Sentence
and Date: IMPRISONMENT FOR 5 YEARS - 16 May 46.

Confirmation
and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to
accused on 16 Aug 46.

Petition: Submitted 25 May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Page 87

Accused: Capt. IKEBA Toma. AWC No. 2000,2002,2004,2080.
Lt. KATAGIRI Asamu
Lt. OKAWA Yasaku
Lt-Col. NAKAMURA Shinzo(Not Guilty) Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 15 & 16 May 46.
Formation: 8 MD

Charge(s)	Plea	Finding
Murder at TENINBAUBAU on or about 23 Jan 45 of 12 Indians.	Not Guilty	All accused guilty with the exception of Lt-Col NAKAMURA Shinzo not guilty.

Precis of Evidence: The prosecution in this case relied on the evidence contained in interrogations of the accused reduced to writing. The admitted facts were that the accused Capt. IKEBA Toma, Lt. KATAGIRI and Lt. OKAWA Yasaku held a conference regarding 13 Indians who had been actually caught attempting to escape. After the conference the accused IKEBA "concluded on my own authority to shoot the Indians. 12 Indians were executed by shooting and the accused OKAWA was in charge of the firing squad. In addition to these facts the accused KATIGIRI swore that he journeyed to the H.Q. of the accused Lt-Col. NAKAMURA Shinzo and alleged that the said accused Lt-Col. NAKAMURA said to "carry on with the execution." This evidence was denied by the said accused NAKAMURA. NAKAMURA was acquitted and the remaining accused convicted. In regard to the convicted accused KATAGIRI it was submitted for the prosecution that he was an accessory before the fact or a principal in the second degree in that he took part in the conference regarding the alleged attempted escapes of the deceased and that (Over)

Sentence and Date: Guilty accused IKEBA sentenced to 10 years imprisonment
Guilty accused KATAGIRI sentenced to 5 years imprisonment
Guilty accused OKAWA sentenced to 2 years imprisonment.

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused OKAWA only on 5 Aug 46. Accused IKEBA executed at Rabaul by hanging on 13 Aug 46 in respect of Rabaul Court No 87. Accused KATAGIRI executed at Rabaul by hanging on 13 Aug 46 in respect of Court No 72.

Petition: Submitted by 3 convicted accused.

J.A.G.'s Report on Petition: Findings and sentences be confirmed and the petitions be dismissed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence: (Continued) he passed on certain orders alleged to have been given by the accused NAKAMURA (which were denied by the said accused NAKAMURA) so that the accused IKEBA could proceed with the execution. In substance the defences of the convicted accused were

- (a) the accused IKEBA claimed that the execution was carried out in accordance with orders of a superior.
- (b) the accused KATIGIRI claimed that he was only involved in so far as he took part in the enquiries regarding the attempts by the accused to escape.
- (c) the accused OKAWA claimed that in taking charge of the firing squad he was carrying out the orders of a superior officer.

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R 93 Aug 86

AWC No. 2029

Accused: Lt Comdr NAKAYAMA Hiromi

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 15 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
Murder at Nauru Island on or about 26 March 43 of Col F.R. CHALMERS CMG DSO (Administrator of Nauru Is) Dr. Bernard Quinn (Medical Officer Nauru Administration) Mr. W. SHUGG (Government Dispenser) Mr. W.B. Doyle and Mr. H.H. HARMER	Not Guilty	Guilty

Precis of Evidence: The evidence for the prosecution consisted of the oral evidence of a native named MA NAI FAI and the interrogation of the accused which was reduced to writing and signed by the accused. The evidence of the witness was to the effect that in the early morning of 26 Mar 46 after an air raid, he was inspecting certain damage caused by the raid and he saw the British Phosphate Commission truck enter the location but he did not see the direction in which it went or where it stopped. He saw it leaving the location again and it passed him about 4 metres away from where he was standing. It was light enough for him to distinguish the people on the truck. There were some Japanese and he identified the deceased Col Chalmers, Mr. Harmer and Mr. Shugg. The deceased were dressed in white and there were two other people in the truck dressed in white also but the witness did not identify them. He further stated that the only persons on the Island who dressed in white apart from himself were the deceased. (over)

Sentence and Date: Death by hanging
15 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Aug 46. Accused executed by hanging at Rabaul on 10 Aug 46.

Petition: Lodged 27 May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismissal of petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

7

• Precis of Evidence (continued)

He did not see where the truck went to after it left the location and he did not see the deceased again. In the interrogation of the accused the accused stated (inter alia) that in company with 5 Japanese soldiers he conveyed the deceased by motor truck to the beach where a hole had been dug. The deceased where then shot by the Japanese soldiers pursuant to his orders and in his presence. They were subsequently buried. The accused gave as the reason for the executions the fact that he anticipated an invasion of the Island by the enemy and he feared that the deceased would incite the natives to revolt.

The accused gave evidence in his own defence. The Defending Officer put in evidence a statement made by the accused. It was similar in terms to the contents of the interrogation of the accused. In this statement the accused stated "The responsibility for this case rests with myself only".

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2003, 2002

Accused: Lt HIRANARA Teruma
Lt KATAGIRI Osamu

Aust W.C. List Ser No.....

Court, Place,
Date and Formation: Rabaul 13 May 46 8 MD.

Charge(s)	Plea	Finding
MURDER at ARIQUA Bougainville on or about 24 Apr 45 of 15 Indians.	Not guilty	Both accused - Guilty.

Precis of Evidence: The accused had in their charge a number of Indian PW. Certain of these PW planned an escape to TORAKINA. The accused alleged that they overheard conversations among certain PW arranging for the escape. The accused KATAGIRI stated that he made investigations and that certain Indians confessed their intention to escape. The accused after conferring among themselves decided to execute certain of the PW and such executions were carried out by shooting under the supervision of the accused and one SEIRAI (now said to be deceased). There was no evidence to the effect that the Indians concerned had actually attempted to escape. Evidence was produced on behalf of the accused of an order that if PW attempted escape they were to be shot. Evidence was given on behalf of the prosecution (which was contained in a statement by one Maj FUJIE YOSHIKAZU who was stationed at or near ARIQUA) that it was not right "to kill people just to stop them running away" (Over)

Sentence and Date: Death by hanging. 13 May 46.

Confirmation and by Whom: Lt-Gen V.A.H. Sturdee.

Promulgation: Confirmation of finding and sentences promulgated to each accused on 12 Aug 46. Both accused executed by hanging at Rabaul on 13 Aug 46.
Petition: Petitions submitted by both accused against findings and sentences - 27 May 46.

J.A.G.'s Report on Petition: Confirmation of findings and sentences and dismissal of petitions.

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

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Precis of Evidence :

There was no trial of the Indians prior to their execution. In substance the defence of the accused was that the deceased had intended to escape, that there had been Japanese soldiers attacked by Indians who had previously escaped and that the executions were carried out in accordance with general instructions previously received.

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DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2681

Accused: L/Cpl TOKAWA Masanori

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 8 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
Ill-treatment of a Prisoner of War by cruelly ill treating Gnr O'Connor during May and June 1945.	Not Guilty	Guilty

Precis of Evidence: 1. The said Gnr O'Connor was a prisoner of war in Japanese hands at Watom Is, New Britain and was working for No.2 Military Company. The accused Tokawa was in charge of the said Gnr O'Connor and other PW. The accused Tokawa on many occasions cruelly assaulted the same Gnr O'Connor who was in a very bad state of health. He was suffering from malaria beri beri and tropical ulcers on his legs and parts of his body. He was unable to walk and at best able to crawl. While in this state he was cruelly beaten by the accused on numerous occasions and placed on half food rations. The accused drew full rations and he reduced such food rations without authority. No medical attention was given to Gnr O'Connor until one Capt Mallott another PW died as a result of disease and ill-treatment. The medical treatment prescribed for Gnr O'Connor was the drinking of the juice of pupangas leaves and although they were collected the accused would not allow the juice thereof to be given to Gnr O'Connor. Whilst under medical treatment two beatings were administered to the said Gnr O'Connor by the accused. Gnr O'Connor died on 22 Jun 45. (over)

Sentence and Date: 5 yrs imprisonment. 8 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Accused executed at Rabaul on 15 Aug 46 in respect other charge. See Court No.62.

Petition: Petition lodged May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

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2

Precis of Evidence (continued)

2. The defence of the accused was a general denial of ill-treatment and beatings. A submission was made to the Court that the said Gnr O'Connor died from malaria and there was no medical evidence of ill-treatment.

1

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Precis of Evidence (continued)

2. The defence of the accused was a general denial of ill-treatment and beatings. A submission was made to the Court that the said Gnr O'Connor died from malaria and there was no medical evidence of ill-treatment.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

2915, 2916, 2682.

Accused: Lt TASAKA Mitsuo
L/Cpl TAJIMA Moriji
Civ YONEDA Susume

AWC No.....

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 23 Apr 46
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER of 4 Chinese PW at TALILI about 29 April 43.	Not Guilty	Guilty.

Precis of Evidence: In Apr 43 a number of Chinese PW were camped at TALILI. The 4 deceased were then sick. Lt TASAKA was Japanese Commander. TAJIMA and YONEDA who was a civilian Formosan interpreter were the only other Japanese in the area. Towards the end of April TAJIMA told a Chinese officer PW LO MEI LING that TASAKA had ordered him to shoot the sick PW. In the hearing of 2 other officers PW LO MEI LING told TAJIMA the sick would recover. Indian PW were then instructed to dig a grave. The sick were forced to get into the hole and were then shot by TAJIMA and YONEDA. The shooting was witnessed by the 3 Chinese officers who were told later that day by TASAKA that he would shoot any Chinese who could not work. Accused alleged that the shooting had been ordered by Sgt AWANO and TAJIMA thought his order originated from TASAKA. TASAKA denied he gave the order and said it had been given to AWANO by his superior Lt IMANISHI to whom he reported the killing after AWANO informed him of it. The Chinese officers denied that IMANISHI and AWANO were at the Camp.

Sentence TASAKA - life imprisonment.
and Date: TAJIMA and YONEDA - death by hanging.
23 Apr 46.

Confirmation by Lt-Gen V.AH. STURDEE - 11 Jun 46.
and by Whom:

Promulgation: Confirmation of finding and sentences promulgated to each accused on 26 Jun 46, accused TAJIMA and YONEDA executed at Rabaul on 27 Jun 46.

Petition: Submitted by all accused Apr 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R37
Omas 127

Accused: 1st Lt KITAMURA Kenichi

AWC No.....

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 8 & 9 Apr 46
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER in that he at Nauru Is on or about 5 May 45 murdered WU KAM a Chinese civilian.	Not guilty	Not guilty

Precis of Evidence: 1. The prosecution alleged that the deceased stole a pumpkin from a Japanese garden and the accused ordered his execution. The body of the deceased was subsequently seen and it had a deep gash on the neck as though it had been cut with a sword. There was no evidence to show how and by whom the deceased was executed.

2. The accused in his defence alleged that one SHICHIGORO SAITO killed WU KAM without any orders to do so. He further alleged that SHICHIGORO SAITO had since died.

Sentence and Date: Not guilty 9 Apr 46

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Lt SAITO Munetoshi
Sgt/Maj OTAGURO Kikatsu

Aust W.C. List Ser No.....

Court, Place, 11 Aust Div
Date and 27 March 46
Formation: Rabaul

Charge(s)	Plea	Finding
MURDER in that they on or about Aug 44 between BUT and MAPRIK murdered Pte GIRDHARI LAL of the Indian Army.	Not guilty	Not guilty.

Precis of Evidence: In Aug 44 a party of Japanese and Indians (of which the deceased was a member) marched from BUT to SEPRIK River via MAPRIK. The deceased fell behind the main party on two occasions. On the first occasion he was assisted by other Indians. On the second occasion the accused OTAGURU and two other Japanese remained with him. About an hour after a shot was heard and later the three Japanese joined the main party again. The deceased was never seen again.

2. Both accused denied the charge. The accused SAITO alleged that certain Japanese and Indians had to be left behind because they could not keep pace with the main party. They were given available food supplies and medicines. The Japanese and Indians (which included the deceased) were not seen or heard of again.

Sentence Not guilty
and Date: 27 Mar 46.Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.

Accused: Capt KASHIMOTO Naoji

Aust W.C. List Ser No.

Court, Place, Date and Formation: Rabaul
20 Mar 46
11 Aust Div.

Charge(s) Plea Finding

MURDER of Jemadar Gul Hussain and
Pte MANSAB KHAN both of the Indian
Army in Sep 44 near WONGINARA.Not
guilty

Not guilty

Precis of Evidence: 1. The deceased were prisoners of war in Japanese hands and in Sep 44 were members of a working party. They were carrying heavy loads in hilly country and they complained to the Japanese in charge of them. The Japanese told them they would have to carry the loads. The deceased then threw down their respective load and ran away into the bush. The accused was sent for and he gave orders that the Indians were to be caught and killed. Later a Japanese stated that the deceased had been captured in a native hut and killed.

2. The accused denied all knowledge of the deaths of the deceased and that he knew any Indians of these names. He denied giving any orders for the killing of Indians.

Sentence and Date: Not guilty - 20 Mar 46.

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)Accused: WO MATSUMOTO Tsujiji (NOT GUILTY)
WO UENO Koichi
Cpl AOKI Matsuo

AWC No. 2669, 2905, 2907

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 19 Mar 46
Formation: 11 AUST DIV

Charge(s)	Plea	Finding
MURDER of LESLIE FOON KONG at LUMBURUA about JAN 45	NOT GUILTY	WO MATSUMOTO, T. NOT GUILTY WO UENO K. GUILTY Cpl AOKI M. GUILTY

Precis of Evidence: LESLIE FOON KONG, a Chinese civilian was taken to JAP MP HQ at LUMBURUA by WO UENO, Koichi and native police boys. It was alleged that KONG had sheltered and fed whites and conducted spying activities about MAY 1944. KONG who had been in good health died within 5 days of his arrest.

WO MATSUMOTO, was in charge of the MP detachment.

During questioning over the period of four to five days by WO UENO he was severely beaten by UENO and native police boys. Cpl AOKI forced KONG to drink more than a bucketfull of water and also beat and tortured him.

Two native police boys gave evidence that MATSUMOTO was present at the interrogation and illtreatment.

Defence denied illtreatment and MATSUMOTO, supported by other witnesses stated he was not present at the questioning but working away at the gardens each day.

Sentence	WO UENO, Koichi	Death by being hanged
and Date:	Cpl AOKI Matsuo	" " " "
	19 MAR 46	

Confirmation and by Whom: Finding and sentences confirmed by Lt-Gen V.A.H. STURDEE -
28 June 1946Promulgation: 18 July 46. (Accused UENO executed at RABAU in respect of another/ charge.
Accused AOKI executed at Rabaul on 19 July 1946)

Petition: Submitted 29 MAR 46 against findings and sentences.

J.A.G.'s Report on Petition: Findings and sentences should be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL/NA

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Capt ICHiyAMA Yasuo
Capt KATO Morizo

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 8, 9, 11 & 12 Mar 46
Formation: 11 Aust Div

Charge(s)	Plea	Finding
MURDER at Namale on or about 3 May 45 of Pte TUNG MING SHANG	Both accused not guilty	Both accused not guilty

Precis of Evidence: 1. The deceased TUNG MING SHANG, a soldier in the Chinese Army was prior to his death a PW in Japanese hands. Two days before his death he became mentally deranged and left the camp and returned the day following. On 3 May 45 the accused ICHiyAMA ordered certain Chinese to dig a hole and the deceased was taken there and in response to the order of the accused KATO the deceased lay down in the hole. The accused KATO then gave the deceased an injection and then cut him open and removed his heart liver and brains and took them away. The accused ICHiyAMA was present and in addition 3 Chinese watched the operation from a distance.

2. The accused both denied the guilt. The accused KATO who was a medical officer alleged that the deceased died suddenly after treatment for malaria and he conducted a post mortem examination at the grave.

Sentence
and Date: Not guilty - 12 Mar 46

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Civilian Officer YAMAMOTO Hishashi
KATAYAMA Fumihiko

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 6, 7, 8, 11 & 12 Feb 46
Formation: 11 Aust Div.

Charge(s)	Plea	Finding
MURDER at Ramata about May 45 of ELIPAS.	Both accused not guilty	Both accused not guilty.

Precis of Evidence: The prosecution alleged that ELIPAS a native, accused of stealing was beaten by native police boys on the orders of the accused with such severity that he died. Both accused gave evidence in their defence and alleged that the only orders given by them was for the imprisonment of ELIPAS. If ELIPAS was beaten it was carried out by police boys and without their authority. The accused KATAYAMA stated that he believed ELIPAS died of disease.

Sentence
and Date: Not guilty - 12 Feb 46.Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Sgt Maj MURAO Kamio
WO UEDA Jiro

Aust W.C. List Ser No.....

Court, Place,
Date and Formation: Rabaul
28 Jan & 2 Feb 46
11 Aust Div

Charge(s)	Plea	Finding
TORTURING a civilian in that they at Rabaul in or about May 1943 tortured TOM HUNG a civilian	Both accused not guilty	Both accused guilty

Precis of Evidence: 1. On or about 15 May 1943 TOM HUNG was arrested by the Japanese and charged with carrying firearms whilst he was an ambulance man. He was arrested by the accused and at Kempei Tai he was questioned by the accused for some time. Next morning he was again questioned by both the accused. They both beat him with canes and punched him with their fists until he fell to the ground. The accused MURAO kicked him many times whilst he was lying on the ground. TOM HUNG was kept at Kempei Tai for the remainder of that day and the following morning he was again questioned. During the questioning both accused jabbed lighted mosquito coils into his face. He was then made to kneel down and the accused MURAO struck him a number of blows on the head with a cane. TOM HUNG was subsequently fined 50 yen and imprisoned for 61 days. The evidence of TOM HUNG was corroborated in certain instances by witnesses.

2. Both the accused gave evidence in their defence. They denied the torture as alleged. They admitted slapping TOM HUNG in the early part of (PTO for remainder)

Sentence and Date: Accused MURAO - to be imprisoned for 5 years.
" UEDA - " " " 5 years.
Date of sentences - 2 Feb 46.

Confirmation and by Whom: GOC 11 Aust Div.

Promulgation: Confirmation of finding and sentences promulgated to both accused on 7 Feb 45

Petition: -

J.A.G.'s Report on Petition: Not applicable

Action on Petition: --

Filed in Attorney-General's Department and Numbered.....

2.

the questioning and as he admitted spying activities it was not necessary to slap him any further. They both denied that any witnesses were present except a Japanese. They believed that this Japanese had been killed in action.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

16 Qus 119

AWC No.....

Accused: Lt ABE Aka-hisa

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 24 & 25 Jan 46
Formation: 11 Aust Div.

Charge(s)	Plea	Finding
VIOLATION of the laws and usages or war to wit unlawfully assaulted Henry Berger a civilian of air occupied territory in or about March 44 at places unknown and at or near ULAMONA and TORIU.	Not Guilty	Not guilty

Precis of Evidence: 1. In Feb 44 Father Henry Berger a Roman Catholic Missionary of the Romali Mission was forced by the Japanese to assist in steering a boat out over reefs from Butuelo. He told the accused it was possible. When the boat struck reefs the Father was violently punched on the face by the accused. On a later occasion he was compelled to guide a boat up a river but became lost in a tributary. He was again assaulted by the accused.
2. The accused in his defence stated Father Berger volunteered to carry out the duty of guiding the boats and when it was found he could not do so he slapped Father Berger on the face in anger. The evidence of the accused was in some measure corroborated by other Japanese witnesses.

Sentence and Date: Not guilty - 25 Jan 46.

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R43
Quinn

AWC No.....

Accused: Sgt/Maj MAEHATA Chikara

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 18 Jan 46
Formation: 11 Aust Div

Charge(s)	Plea	Finding
TORTURE of a civilian namely SEETO FAI at Ralabang about March 1943.	Not guilty	Not Guilty.

Precis of Evidence: SEETO FAI a civilian alleged that in March 43 he was playing cards with a friend when the accused entered and accused him of gambling and passing messages to the enemy. The accused beat him with a heavy leather belt using the buckle end as well as the other end. The beating lasted for about half an hour. The accused then tied his hands and suspended him from a rafter and his feet were barely touching the ground. SEETO FAI was in this position for about two hours and he was then released. He was further questioned and beaten with the belt, punched and kicked.

2. The accused denied the charge but admitted that SEETO FAI's father had requested him to restrain his son from gambling. He also admitted that when he entered the room where SEETO FAI was playing cards, ~~and~~ SEETO FAI attempted to run away. The accused further stated he caught SEETO FAI and tied his hands. He reprimanded SEETO FAI for gambling and ~~obtained from him a written statement that he would not gamble any more.~~

He denied the beating or the kicking or tying to a beam as alleged.

Sentence and Date: Not guilty
18 Jan 46.

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a)) WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

267 2681

AWC No. 2681

Accused: L/Cpl TOKAWA, Masanori

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 7 May 46.
Formation: 8 MD

Charge(s)	Plea	Finding
Murder at Wattom Is. about May 1945 of Capt. MALLOTT.	Not Guilty	Guilty

Precis of Evidence: Capt. MALLOTT was a PW at Wattom Is. and the prosecution alleged that Capt. MALLOTT was repeatedly assaulted by the accused. When Capt. MALLOTT was bedridden and suffering from tropical ulcers on the legs he was severely beaten by the accused on such ulcers causing one leg to bleed profusely. Death of Capt. MALLOTT resulted four days later. In addition to the beatings Capt. MALLOTT was forced to work by the accused notwithstanding the fact that he was suffering from ulcers, Beri-Beri and malaria. His food rations were reduced to half by the accused although he had no orders to do so. The defence called evidence to the effect that Capt. MALLOTT died as a result of natural causes.

Sentence and Date: Death by hanging, 7 May 46.

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 14 Aug 46. Accused executed by hanging at Rabaul on 15 Aug 46.

Petition: Petition lodged by accused against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

2028

AWC No.....

Accused: Navy 1st Lt. GOTO: Daisaku.

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 6 & 7 May 46.
Formation: 8 MD

Charge(s)	Plea	Finding
1. Murder at North Bougainville between Sept 43 and Oct 45 of 3 natives residents of Petats.	Not Guilty	Guilty
2. Murder at North Bougainville between Sept 43 and Oct 45 of a native named KIEHON of Matzungan.	Not Guilty	Guilty
3. Murder at North Bougainville between Sept 43 and Oct 45 of two Matzungan native women (not named).	Not Guilty	Guilty
4. Murder at Sohanah about the middle of 1943 of 3 natives (not named).	Not Guilty	Not Guilty

Precis of Evidence: The accused admitted that the natives referred to in the charges were shot as a result of his orders but submitted that he was at all times acting under the orders of his superior officer. The defence further submitted that if the natives were not sentenced to death in accordance with the laws of war the accused should be given the benefit of the doubt as to his knowledge of the illegality of such acts and should be entitled to an acquittal as a subordinate.

Sentence and Date: Death by shooting 7 May 46.

Confirmation and by Whom: Confirmed - Lt-Gen V.A.H. STURDEE - 19 July 1946.

Promulgation: 16 August 1946 (Executed at RABAU 17 August 1946)

Petition: Petition submitted against findings and sentence 16 May 46.

J.A.G.'s Report on Petition: Confirm findings and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

AUSTRALIAN MILITARY FORCES

AAF A117(a)
(Introduced Jan 46)
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DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2110,2624

Accused: Sgt MAWATARI Kuniyoshi
Cpl FUJITA Masaharu (Not guilty)

Aust W.C. List Ser No.....

Court, Place, Date and Formation: RABAU
2/3 May 46
8 MD

Charge(s)	Plea	Finding
MURDER about 5th May 44 at NONGA of Pioneer FAKIRA a member of the Indian Army.	NOT GUILTY	MAWATARI - Guilty FUJITA - Not Guilty

Precis of Evidence: The prosecution alleged that early in May 44 MAWATARI was seen beating FAKIRA an Indian PW who later could not be found. An unsuccessful search was made by other PW but the Indians were later led by FUJITA to a place where FAKIRA was found dead hanging from a tree and with one leg broken. The accused told the Indians they had killed FAKIRA. Offers were made by certain Japanese to pay compensation to FAKIRA's family if the story was not reported to the Australian authorities.

Accused alleged FAKIRA was abnormal and had committed suicide.

Sentence and Date: DEATH BY HANGING
3 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 31 July 46. Accused executed by hanging at RABAU on 1 Aug 46.

Petition: Submitted May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

Compare Australian cases 72 & 73
for extreme differences in
degree of punishment!

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

1st Lt SAKODA Hiroe, 1st Lt OGAWA Haruzo2035, 2036, 2032, 2034,
2nd Lt NAKAJIMA Hiroshi,AWC No. 2033, 2037
2nd Lt TAIRI Tokuji
" " TSUKADA Eizo
Accused: Navy WO TAKAHASHI ShigenobuAust W.C. List Ser No.

Court, Place, RABAU
Date and 26, 27 & 29 Apr 46
Formation: 8 MD

Charge(s)	Plea	Finding
TORTURE at NAURU Island on an unknown date extending over three days of a native RUKA.	Not Guilty	All accused guilty

Precis of Evidence: The native RUKA was employed by the Japanese in the collection of vegetable used for making drink known as "TODDY." The accused alleged that the said RUKA had stolen bottles of "Toddy" as well as foodstuff and he was arrested and sentenced to punishment. The punishment consisted of imprisonment for 3 days and the said RUKA was also to receive 10 strokes with a bamboo cane daily for 3 days. The order for such punishment was issued by the accused OGAWA. It was common ground that the said RUKA was tied to a tree and that he was beaten.

2. The case for the prosecution consisted of the evidence of three native witnesses and these witnesses stated that with the exception of the accused OGAWA all the accused assaulted the said RUKA whilst tied to a tree in such a manner that movement was restricted. The witness TEITIBA gave evidence (inter alia) of the following assaults.

(Over)

Sentence and Date: The accused NAKAJIMA)
 and TAKAHASHI) Death by hanging 29 Apr 46.
 The accused OGAWA)
 and TSUKADA) 20 years imprisonment 29 Apr 46.
 The accused SAKODA)
 and TAIRI) 15 years imprisonment 29 Apr 46.

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to each
 accused on 16 Aug 46. Accused NAKAJIMA and TAKAHASHI executed
 at RABAU on 17 Aug 46.

Petition: Petitions lodged by each accused May 46 against finding and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

Precis of evidence (Contd).

- (a) The accused NAKAJIMA and TAKAHASHI - beatings with a "carry" pole "about the size of an arm and about 3 feet in length. Beatings and questioning lasted approximately an hour.
- (b) The accused Nakajima - beatings with a stick about three feet long and "as thick as an arm". This accused on this occasion poked the stick into Ruka's eyes twice. This assault did not last very long.
- (c) The accused NAKAHASHI - a further beating.
- (d) The accused TSUKADU - beating with a walking stick about 20 strokes.
- (e) Accused SUKODA - punching with clenched fists about 8 blows.

The witness WOVE gave evidence (interalia) of the following assaults

- (a) Beatings by accused SAKODA Nakajima TAIRI and TSUKADA
- (b) The accused Sakoda - beating with closed fists.
- (c) " " NAKAJIMA - beating with a big stick about 3 feet long.
- (d) The accused TAIRI - beating with fists.
- (e) " " TSUKADA - beating with a walking stick.

The witness KAUTOA gave evidence to the effect that he saw TSUKADA beat the said RUKA with a stick and an iron pipe for about 5 minutes.

The witness MAI NAI FAI gave evidence to the effect that he had heard of the assault on the said RUKA and that the said RUKA had been executed.

3. The defence of the accused was in substance a general denial that they were in anyway involved in the assaults. The accused OGAWA admitted ordering the said RUKA to be imprisoned for 3 days and to be given 10 strokes daily with a bamboo for three days. It was also admitted as there were no prison facilities the said RUKA was tied to a tree which permitted him to move about and to lie down. The accused TAKAHASHI admitted that he slapped the said RUKA on the face with his open hand two or three times when RUKA is alleged to have admitted stealing "Toddy" and mixing muddy water with other quantities of "Toddy".

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

DL
Ans 73

Capt SAIKI, Kasukane, Capt MORI, Teishu AWC No.....
Capt ABE, Raisaku (also charged same time before
Accused: same court Capt AKUZAWA, Kisaburo Aust W.C. List Ser No.....
Sjt Maj HARAGUCHI, Kunio, Sjt Maj NARUTA, Eiji, Sjt KITANO Tamatsu
L/Cpl KAMIMOTO, S. Sjt Maj ARAI, Taizo -
Court, Place, DARWIN Not Guilty)
Date and 1 - 15 May 46
Formation: 7 MD DARWIN

Charge(s)	Plea	Finding
Ill-treatment of prisoners of war in TIMOR as set out in details of charge sheet in 12 charges in Second Schedule	NOT GUILTY on every part of charge	SAIKI, Kasukane Guilty on Charges 1, 5 Not Guilty on Charges 2, 3, 4, 6, 7, 8, 9, 10, 11, 12. MORI, Teishu Guilty on Charge 7 Not Guilty on Charge 5 Not charged on other charges. ABE, Raisaku Guilty on Charge 1. Not charged on other charges.
Precis of Evidence:		Other accused not guilty on charges.

On 29 Jan 1945 Capt Cashman was taken prisoner after being parachuted into Timor. Capt SAIKI interrogated him intermittently for months.

In the course of interrogation, he suffered the "log" torture, and was beaten with a cane, but not severely.

Cpl Lawrence captured in Jul 45 was treated in a similar way while being interrogated by SAIKI.

ABE was present when Cashman suffered the "log" torture and on occasions himself struck Cashman, but not severely.

MORI used the "log" torture on Lawrence and administered a minor beating with a piece of bamboo during interrogation. MORI was present when Lawrence was tortured by SAIKI.

Sentence and Date: SAIKI, Kasukane - To be imprisoned for 3 months
MORI, Teishu - To be imprisoned for 1 month
ABE, Raisaku - To be imprisoned for 1 month.
15 Mar 46

Confirmation Findings and Sentences confirmed by Deputy Adjutant-General and by Whom: (Personal Services) - 10 Apr 46

Promulgation: Confirmation of finding and sentences promulgated to accused on 18 Apr 46

Petition: ---

DLS
LAC's Report on Petition: Confirm findings and sentences

Action on Petition: ----

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: Lt. SAKUMA, Wataru
Sub Lt. OTOMO, Torizo
Sub Lt. SAKAMOTO, Chujiro
Sub Lt. YAJIMA, Eiichi.

AWC No.....2054,2064,2066,2072

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 27 Apr 46.
Formation: 8 MD

Charge(s)	Plea	Finding
Murder at Ocean Is. on or about 20 Aug 45 of persons unknown.	All not guilty	All accused guilty.

Precis of Evidence: The prosecution tendered evidence by a native named KUBANARE to the effect that a group of natives totalling eight were marched to a cliff overlooking the sea. The hands of the natives had been tied behind their backs and they were told to squat in line on the edge of the cliff and they were blind folded. The native named Kubanare involuntarily fell over the cliff and immediately following, shots were fired and the remaining natives fell over the cliff. The evidence submitted by the Prosecution was in substance admitted by the accused. In evidence the accused SAKUMA stated that he carried out the orders of a superior officer in ordering the shooting of the said natives. The other accused stated (inter alia) that they also ordered the shooting of the said natives pursuant to the order of their C.O. namely the accused SAKUMA.

Sentence and Date: Death by hanging, 27 Apr 46.

Confirmation and by Whom: Confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to all accused on 9 Aug 46. All accused executed by hanging at Rabaul on 10 Aug 46.

Petition: Lodged 9 May 46 by all accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm finding and sentences and dismiss petitions 10 May 46.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2732, 2111

Accused: Cpl TAKAI Kazuyoshi
L/Cpl SAKAI Takashi

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 23 Apr 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER of SAUDAGAR KHAN an Indian PW at AKANI MISKAI about 30 Jan 44	Both Not Guilty	Both GUILTY

Precis of Evidence: Jemadar KHURSHID AHMED KHAN and Jemadar AHMED both stated that on 30 Jan 44 deceased was very ill with malaria and unable to do fatigues. Accused TAKAI beat him with a stick that morning and after he had been marched back to camp at midday had him examined by accused SAKAI a medical orderly who said he was fit for work. Both accused then beat and kicked deceased until he became unconscious. He died two hours later. Accused denied the allegations and alleged SAUDAGAR KHAN died on 30 Dec 43 from malaria. Death certificate was produced but doctor stated he last examined him 2 days before his death. Prosecution's witnesses evidence was in writing and they were not called to correct their probable incorrect date of death.

Sentence and Date: Death by hanging. 23 Apr 46

Confirmation and by Whom: Chief of General Staff - Lt Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to both accused on 26 June 46. Both accused executed by hanging at RABAU on 27 June 46.

Petition: Submitted 30 Apr 46 by both accused against finding and sentence.

J.A.G.'s Report on Petition: Findings and sentences should be confirmed and petitions should be dismissed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2657

Accused: Paymaster Lt OTSUBO, Mitsusada

Aust W.C. List Ser No.

Court, Place, RABAUL
Date and 18 Apr 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER of (1) CHANDRE KHAN, FATEH AHMED and FAZAL DAD Indian PW at KATA KATA about 9 Apr 45.	NOT GUILTY	GUILTY
(2) AHMED KHAN Indian PW at TABUNA about 14 Aug 45.	NOT GUILTY	

Precis of Evidence: The accused admitted that he had shot the deceased PW. He alleged that they had escaped from the camp, had stolen provisions and equipment and their conduct had provoked indiscipline among the other Indian labourers. He admitted that he had personally shot them without trial but alleged it was done to preserve discipline after they had been captured by the Japanese MP. The prosecution alleged that the PW had been cruelly beaten and that they had left their camp only to report their illtreatment to a main Japanese camp at KATA KATA and that they were killed when they reported in to that camp.

Sentence and Date: DEATH BY HANGING
18 Apr 46

Confirmation and by Whom:

Promulgation: Accidentally killed at Rabaul on 28 May 46

Petition: Submitted 1 May 46 against sentence of the Court.

J.A.G.'s Report on Petition: Finding and sentence should be confirmed and petition dismissed.

Action on Petition: -

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2221, 2229, 2231

Accused: Sjt/M SHIMIZU Hisao
Cpl YASUSAKA Masaji
Pte TOKURA Keijiro

Aust W.C. List Ser No.

Court, Place, Date and Formation: RABAUL
17th April 46
8 MD

Charge(s)	Plea	Finding
MURDER in Dec 44 near PACHING of 11 Indian Prisoners of War	Not Guilty	Guilty

Precis of Evidence: In Dec 44 19 Indian Working Party were marching from WEWAK to PACHING . At SINGU the eleven deceased PW were left behind with Lt MITSUBA, nursing Orderly MAIDA and the three accused because they were too sick to proceed further. They were not seen alive thereafter by the rest of the PW but their dead bodies were seen by Sgt KARAM SINGH who stated they had been killed. On interrogation SHIMIZU and TOKURA stated that the three accused had shot the Indians on the orders of and in the presence of Lt MITSUBA. YASUSAKA denied that he took part in the shooting although he was present.

Sentence and Date: SHIMIZU and YASUSAKA 20 yrs imprisonment
TOKURA 15 yrs imprisonment - 17 Apr 46.

Confirmation and by Whom: Chief of General Staff - Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to each accused on 29 June 46.

Petition: Submitted 23 Apr 46 by all accused against finding and sentence.

J.A.G.'s Report on Petition: Dismiss petitions and confirm findings and sentences.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

DPW(AG13(2a))/WMcL / AR.

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

Accused: Capt TAKAHASHI Takashi
" MIYOSHI Masahiko (Not Guilty)
WO AIZAWA Teuchiro
" YAMAMOTO Kenji (Not Guilty)
Sgt Maj KINJO Tokuyei
Sgt FUKUSHIMA Akita (Not Guilty)
Cpl NAKAMURA Utaka
Court, Place, Date and Formation: RABAU 15/16 Apr 8 MD
Charge(s)
Plea
Finding

AWC No. 2618, 2632, 2623, 2642
2631, 2742, 2634.
Aust W.C. List Ser. No.

Charge(s)	Plea	Finding
CANNIBALISM at TANOURA about 5 Apr 43 by eating the flesh of 2 Indian POW.	All not guilty	TAKAHASHI, AIZAWA KINJO and NAKAMURA guilty. Other 3 accused not guilty.

Precis of Evidence: The prosecution alleged that the two Indians were ill with a slight fever and that they died on the morning of 5 Apr 43 after having been injected with a colourless liquid. They were then buried but their bodies were exhumed on the evening of that day and the flesh was cut off their thighs and their livers were taken out. An Indian cook RABI LOHAR was beaten for refusing to cook the flesh which was then cooked by NAKAMURA and eaten by the accused who were convicted. Some of the Indian statements implicated all accused. The defence made by the accused was a denial of cannibalism and an admission that first one Indian died and was buried. Because his death was so sudden TAKAHASHI a medical officer obtained permission to exhume the body and perform an autopsy. In the afternoon he had the body exhumed examined the internal organs and cut off portions of the liver and spleen, but not the thigh for microscopical examination. These specimens were preserved by formalin. He stated this occurred about 10 May 43 and that 3 or 4 days later another Indian who in a coma was injected with (over)

Sentence and Date: TAKAHASHI death by hanging. AIZAWA, KINJO and NAKAMURA each 10 years imprisonment. 16 Apr 46.

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE. Finding and Sentences NOT confirmed. 8 July 46

Promulgation: Non-confirmation of finding and sentences promulgated to accused on 31 July 46.

Petition: Petitions submitted Apr 46 by each convicted accused against finding and sentence.

J.A.G.'s Report on Petition: Findings and sentences may legally be confirmed but in his opinion should not be confirmed.

Action on Petition: Petition upheld.

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (continued) : curative liquids but he died under treatment. It was alleged that both Indians were proved to have died from tropical malaria though an autopsy was performed on only one of them. It was denied that the officers ever ate with the men.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2616

Accused: Sgt KISHI Ryosaku

Aust W.C. List Ser No.

Court, Place,
Date and Rabaul
Formation: 11-12 Apr 46
8 MD.

Charge(s)	Plea	Finding
MURDER of BINDHU MISTRI Indian Army about 14 Feb 45 at TOMA.	Not guilty	Guilty

Precis of Evidence: On 12 Feb 45 deceased was working with a fatigue party at TOMA moving and stacking petrol drums. He requested accused to give him 5 minutes rest but accused thereupon severely beat and kicked him for about half an hour so that he became unconscious and bled very extensively. He died on 14 Feb 45. He received no medical treatment. Accused and defence witnesses alleged that deceased died of blackwater fever and that he had been sent on 11 Feb 45 to his quarters to rest and had been removed the next day to the infirmary. The assault was denied.

Sentence
and Date: Death by hanging. 12 Apr 46.Confirmation
and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. Sturdee. 11 Jun 46.

Promulgation: 18 Jul 46. (Executed at RABAU on 19 Jul 46).

Petition: Submitted 24 Apr 46 against finding and sentence.

J.A.G.'s Report on Petition: Finding and sentence should be confirmed and
petition dismissed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Res-6B

AWC No. 2741
2909

Accused: S/Maj HASEGAWA, Junei
Sgt NUMAMICHI, Tsurumatsu

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 10/11 Apr 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER of Assistant Ganger SITA RAM an Indian PW at BITAWANAS about 12 Jan 45.	NOT GUILTY	GUILTY

Precis of Evidence: The deceased was one of several Indian PW working in a fatigue party on 12 Jan 45 under the two accused. SITA RAM was sick and weak. The accused put a heavy load of approx 200 lbs on his head causing him to collapse. They then kicked and beat him causing him to vomit blood. He died on 14 Jan 45.

The defence claimed that HASEGAWA was in charge of the kitchen with NUMAMICHI as his assistant. The Indian PW were employed in and around the kitchen and SITA RAM worked on scraping copra, as it was suitable work for his weakened condition. Knowledge of the alleged beating is denied.

The Jap MO had treated SITA RAM for malaria and beri beri and on receipt of the report of his death concluded that heart failure had occurred owing to malaria and beri beri and prepared his death certificate.

Sentence and Date: DEATH BY HANGING
11 Apr 46

Confirmation and by Whom: Finding and sentences confirmed by Lt-Gen V.A.H. Sturdee
4 Jun 46.

Promulgation: 21 June 1946 (Both accused executed at Rabaul 22 Jun 46).

Petition: Submitted Apr 46 against finding and sentence of the Court.

J.A.G.'s Report on Petition: Finding and sentence should be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 59

AWC No. 2834, 2833.

Accused: Sgt YAMAOKA Tetsuo
L/Cpl SUMITOMO Kazuhide

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 9 Apr 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATING Lt C.M. NIGAM an Indian PW at VUNAPAL about 29 Apr 45	NOT GUILTY	GUILTY

Precis of Evidence: On 29 Apr 45 Lt C.M. Nigam and 6 Indian ORs were given leave to go to TINGA MANGA LIP Camp HQ of HAMADA Butai to interview Lt KIMURA. KIMURA was absent and Lt NIGAM therefore sent back 5 ORs and waited for KIMURA's return, having taken the precaution of obtaining a separate pass from Capt HAMADA to cover the extra leave. Having interviewed KIMURA he obtained a further pass and a letter explaining the delay. On return to camp at 1830 (original pass 1700 hrs) he reported to Sgt OKAZAKI who read the letter, told him it was not necessary to report to Cpl YAMAOKA but to go to sleep. Later that night Lt NIGAM was awakened by YAMAOKA and SUGITOMO beating him with sticks. They then tied him to a tree and continued the beating until NIGAM lost consciousness. They apparently did not heed his attempt to explain why he overstayed his original leave. As a result of the beating Lt NIGAM was confined to bed for two months. The defendants stated that they were punished for their action by being transferred to other gardens.

Sentence and Date: Both accused - 15 YEARS IMPRISONMENT
9 Apr 46

Confirmation and by Whom: Chief of General Staff - Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 29 June 46.

Petition: Submitted 22 Apr against findings and sentences of the Court.

J.A.G.'s Report on Petition: Findings and sentences should be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2225

Accused: Cpl ISHIYAMA, Kumakichi

Aust W.C. List Ser No.

Court, Place, RABAU

Date and 8/9 Apr 46

Formation: 8 MD

Also charged same time before same court
Pte YASUSAKA, Masaji (Not Guilty)

Charge(s)

Plea

Finding

MURDER of Risaldar RASHID MOHD and
Cpl MUSHUD ALI, both Indian PW at
RANIMBOA in Sep 44.NOT
GUILTY

GUILTY

Precis of Evidence: In Sep 44 members of 19 Indian Working Party were PW at RANIMBOA. Declaration of Pte LAKHU RAM states that at about 1400 hrs one day in Sep 44 he saw RISALDAR RASHID MOHD and Cpl MUSHUD ALI both tied to one tree with their hands behind their back. At about 1800 hrs the same day he heard two shots.

Declaration of JEMADAR CHINT SINGH, Adjt of 19 Indian Working Party states that at about 1700 hrs on 19 Sep 44 he heard two shots and as a result of information he received. "I went to the hut of RISALDAR RASHID MOHD and he was missing. I have not seen he or Cpl MUSHUD ALI since that day.

Extract from interrogation of the accused Pte YASUSAKA, Masaji dated 26 Oct 45:-

"During the morning HIBINO took tobacco and shoes from these two Indians. The Indians then complained to all the other Japanese soldiers, but no one took any notice of them.

(Over)

Sentence and Date: DEATH BY HANGING
9 Apr 46

Confirmation and by Whom: Confirmed by Lt-Gen V.A.H. STURDEE - 4 Jun 46

Promulgation: 21 June 46 (executed by hanging 22 June 46)

Petition: Submitted against finding and sentence of the Court

J.A.G.'s Report on Petition: Finding and sentence should be confirmed.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.

Precis of Evidence (contd):

Pte ISHIYAMA and I decided to scare them, so we tied their hands together. Later on we took them into the bush and while walking along I told ISHIYAMA that we had scared them enough and to let them go now. But he said "We have gone this far, we may as well finish it and I would like this officer's watch". ISHIYAMA then shot them both and took the watch."

Extract from statement by Cpl ISHIYAMA (Exh E) admitted in evidence -
"I was under command of Capt MITSUBA at PAROM from the middle of Aug to 3 Oct 44, working on a farm."

At the interrogation of Cpl ISHIYAMA (Exh D) admitted in evidence - he denied all knowledge of the incident.

Under cross examination Cpl ISHIYAMA admitted that there was an Aust interpreter and an Indian interpreter present at his interrogation at Cape WOM in Oct 45, and that he then stated that he was present at RANIMBOA in Sep 44.

He states that he was at PAROM about 5 Kilometers from RANIMBOA from 15 Aug to 1 Oct 44.

Under cross examination L/Cpl YASUSAKA states that he was at PAROM from 15 Aug to 1 Oct 44 and denies knowledge of the incident.

For the defence Capt MITSUBA and Lt IMAMURA stated that both accused were at PAROM during Sep 44.

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R35
Ans 57

Accused: WO MATSUMOTO Tsugiji
WO UENO, Koichi
Sgt SHIRAKI, Jinichi
RABAU
Court, Place, 6 Apr 46
Date and 8 MD
Formation:

AWC No.....2669,2905,2846.....

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
TORTURE of CHEUNG YOUNG HO a civilian at LAGURAMAU about Jan 45.	NOT GUILTY	GUILTY

Precis of Evidence: In January 45 the accused members of the Japanese MP interrogated Cheung Young Ho regarding some Americans. They were not satisfied with her replies. Each of the accused on separate occasions instructed natives to insert bananas in her vagina and watched the natives carry out the order. All accused forced her to stand with her hands above her head. Matsumoto struck her 30 or 40 times with a cane. Corroborative evidence was given by two natives. Accused denied the acts and Matsumoto alleged he had seen a native voluntarily commit one crime against Cheung Young Ho and had punished him. It was admitted the native was thereafter employed by the Japanese.

Sentence ALL TO SUFFER DEATH BY HANGING
and Date: 6 Apr 46

Confirmation Chief of General Staff - Lt-Gen V.A.H. Sturdee
and by Whom:

Promulgation: Confirmation of finding and sentences promulgated to accused on
25 June 46. All accused executed by hanging at Rabaul on
26 June 46.

Petition: Submitted Apr 46 by all accused against findings and sentences.

J.A.G.'s Report on Petition: Findings and sentences should be confirmed.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R35
Ans 57

Accused: WO MATSUMOTO Tsugiji
WO UENO, Koichi
Sgt SHIRAKI, Jinichi
RABAU
Court, Place, 6 Apr 46
Date and 8 MD
Formation:

AWC No.....2669,2905,2846

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
TORTURE of CHEUNG YOUNG HO a civilian at LAGURAMAU about Jan 45.	NOT GUILTY	GUILTY

Precis of Evidence: In January 45 the accused members of the Japanese MP Interrogated Cheung Young Ho regarding some Americans. They were not satisfied with her replies. Each of the accused on separate occasions instructed natives to insert bananas in her vagina and watched the natives carry out the order. All accused forced her to stand with her hands above her head. Matsumoto struck her 30 or 40 times with a cane. Corroborative evidence was given by two natives. Accused denied the acts and Matsumoto alleged he had seen a native voluntarily commit one crime against Cheung Young Ho and had punished him. It was admitted the native was thereafter employed by the Japanese.

Sentence and Date: ALL TO SUFFER DEATH BY HANGING
6 Apr 46

Confirmation and by Whom: Chief of General Staff - Lt-Gen V.A.H. Sturdee

Promulgation: Confirmation of finding and sentences promulgated to accused on 25 June 46. All accused executed by hanging at Rabaul on 26 June 46.

Petition: Submitted Apr 46 by all accused against findings and sentences.

J.A.G.'s Report on Petition: Findings and sentences should be confirmed.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R35 *Ans 57*

Accused: WO MATSUMOTO Tsugiji
WO UENO, Koichi
Sgt SHIRAKI, Jinichi
RABAUL
Court, Place, 6 Apr 46
Date and 8 MD
Formation:

AWC No.....2669,2905,2846.....

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
TORTURE of CHEUNG YOUNG HO a civilian at LAGURAMAU about Jan 45.	NOT GUILTY	GUILTY

Precis of Evidence: In January 45 the accused members of the Japanese MP interrogated Cheung Young Ho regarding some Americans. They were not satisfied with her replies. Each of the accused on separate occasions instructed natives to insert bananas in her vagina and watched the natives carry out the order. All accused forced her to stand with her hands above her head. Matsumoto struck her 30 or 40 times with a cane. Corroborative evidence was given by two natives. Accused denied the acts and Matsumoto alleged he had seen a native voluntarily commit one crime against Cheung Young Ho and had punished him. It was admitted the native was thereafter employed by the Japanese.

Sentence and Date: ALL TO SUFFER DEATH BY HANGING
6 Apr 46

Confirmation and by Whom: Chief of General Staff - Lt-Gen V.A.H. Sturdee

Promulgation: Confirmation of finding and sentences promulgated to accused on 25 June 46. All accused executed by hanging at Rabaul on 26 June 46.

Petition: Submitted Apr 46 by all accused against findings and sentences.

J.A.G.'s Report on Petition: Findings and sentences should be confirmed.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R136 Ans. 162

AWC No. 2656

Accused: Cpl OYE Shigeto

Aust W.C. List Ser No.

Court, Place, Date and Formation: Rabaul
15 June 46
8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR in that he at NAMARIA about August 1944 ill-treated Pte GOR BUN HARN a Prisoner of War.	Not guilty	Guilty

Precis of Evidence: 1. Evidence for the prosecution was given by the said GOR BUN HARN and Pte FONG HAI LEONG. Both witnesses were members of the Chinese National Army and were PW in Japanese hands at NAMARIA, NEW BRITAIN. The said GOR BUN HARN was employed in digging a tunnel and he was very tired and thirsty. The accused ordered him to dig faster but he was unable to do so. The accused then took GOR BUN HARN outside the tunnel and beat him with a stick about 3 feet long and 1½ inches thick. The accused then threw GOR BUN HARN to the ground by means of ju jitsu and when he was lying on the ground the accused said to him "If you die, it will be all the better." The accused struck GOR BUN HARN a number of blows with the stick and he was rendered unconscious. When GOR BUN HARN recovered he had pains in his kidneys, chest and back. The evidence of GOR BUN HARN was verbal and the evidence of FONG HAI LEONG was documentary and contained in a written statement. The evidence of FONG HAI LEONG corroborated the evidence of GOR BUN HARN in regard to the beating. (See over)

Sentence and Date: To be imprisoned for 2 years. 15 Jun 46.

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE.

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Petition lodged 22 June 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss the petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

7

2. The accused in evidence denied ill-treatment as alleged but admitted that he knew the witness GOR BUN HARN. He stated that he was always engaged in carpentering work for the Veterinary Section and after the middle of Sept 44 Chinese had work with him. No Chinese had worked with him prior to that date. He had never beaten or kicked such Chinese. The evidence of Veterinary Surgeon Lt. HING was submitted by the defence. This witness stated that the accused had worked for the Veterinary Section from July 44 to about the middle of Sept 44 and during that time no Chinese worked with the accused.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2655

Accused: L/Cpl KANAI Toshizaku

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 14 June 46
Formation: 8 MD.

Charge(s)	Plea	Finding
Ill-treatment at RABOUL about 5 May 1943 of Pte LIN FAR DING a prisoner of war.	Not Guilty	Guilty

Precis of Evidence: 1. The case for the prosecution consisted of the verbal evidence of Pte KUNG WAN CHI. Both Kung Wan Chi and Lin Far Ding were members of the Chinese Army and were PW in Japanese hands at Rabaul. On 5 May 46 at about 0700 hrs LIN FAR DING was employed as a cook for the Japanese. He attempted to enter the store to get oil for cooking. It was customary for him to get goods from the store when he required them. On the morning in question the accused would not permit him to enter. He told the accused he usually took the oil but the accused became angry and beat him with a stick for about 15 minutes. The stick was about 3'6" long and about 2" thick. Immediately after the beating LIN FAR DING was unable to walk and was suffering pain.

2. The accused denied that he had ever beaten any Chinese with a stick and denied that he was in any way concerned in the alleged assault. He did not know either LIN FAR DING or the witness KUNG WAN CHI and further ~~stated that his duties consisted of driving motor vehicles.~~

Sentence and Date: To be imprisoned for 1 year - 14 June 1946.

Confirmation and by Whom: Lt-Gen V.A.H. Sturdee.

Promulgation: Confirmation of finding and sentence promulgated to accused on 5 Nov 46.

Petition: Lodged 27 June 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 16D

R112

AWC No.....

Accused: Sgt NAKADE Jiro

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 13 June 46.
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR in that he at PIIA about 22 April 1945 ill-treated Pte SHIN DJIN BIU a prisoner of war.	Not guilty	Not guilty

Precis of Evidence: Pte SHIN DJIN BIU, a private in the Chinese National Army gave evidence on oath and identified the accused. Inter alia he stated that about 22 April he "did not have any trouble with the accused." He further stated that "usually the accused treated us very badly" but there was nothing particularly between me and the accused". The Court expressed the opinion that there was no case to answer and found the accused not guilty of the charge.

Sentence and Date: Not guilty - 13 June 46.

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2820

Accused: S/M KARUBE Saburo

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 13 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR (1) in that he at KOMAREYA about 7 Feb 45 ill-treated a number of Indian PWs. (2) in that he at KOMAREYA ill treated 2/Lt HARI KISHAN DAS, a prisoner of war.	Not guilty on both charges.	Guilty on both charges.

Precis of Evidence: The evidence for the prosecution on both charges was contained in a written statement made by 2/Lt HARI KISHAN DAS (referred to in the 2nd charge) and the interrogation of the accused reduced to writing and signed by the accused. The statement of HARI KISHAN DAS contained the following facts. Members of 1st Bn. Hyderabad Inf. were PW in Japanese hands at KOMAREYA, NEW BRITAIN. The treatment was harsh, food was in very small quantities and PW were compelled to work in fatigues for 16 hours each day without a holiday. On the morning of 7 Feb 45 the food given to the Indians was so small in quantity that they decided not to eat it and go out on fatigue without food. About midday they were recalled from fatigue and the accused and S/M OKIMURA ordered them to fall in. The accused addressed the Indians and asked the culprits who instigated the hunger strike to confess otherwise two of them would be selected and shot. No one confessed and both the Japanese became angry and thrashed the Indians very brutally and some of (P.T.O.)

Sentence
and Date: To be imprisoned for 3 years. 13 Jun 46.Confirmation
and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE.Promulgation: Confirmation of finding and sentence promulgated to accused
on 9 Oct 46.

Petition: Lodged 25 June 46 against findings and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentence and dismiss the petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

7

them were rendered unconscious, as a result of the thrashing, for some hours. The ORs were then sent back to fatigue duties and the officers were retained. The accused suspected HARI KISHAN DAS of causing the trouble and charged him with being non co-operative and protecting his soldiers whenever possible. He became angry and "trembled with rage." The accused then beat HARI KISHAN DAS with his hands and struck him on the temples twice and kicked him. After this assault the officers were ordered to return to their fatigue duties.

2. The accused denied the ill-treatment as alleged. He admitted that the Indian PW had refused to eat their breakfast and that he had spoken to the ORs and asked for the person who had caused the agitation to confess. As no one confessed, the Indian ORs were returned to their fatigue duties. He then addressed the officers and while he was speaking his voice trembled "a little in excitement with zeal." HARI KISHAN DAS laughed with a scornful attitude and a cynical look on his face. He further stated that "suddenly I lost my temper and I slapped 2/Lt DAS twice." Subsequently HARI KISHAN DAS apologised to the accused. The defence did not call OKIMURA as a witness. The accused admitted this Japanese was present when he alleged assaults took place. The evidence of USUI YOSHIO was adduced and in substance he corroborated the evidence of the accused.

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DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R108 Ans 158

AWC No. 2819

Accused: Cpl ITAHASHI Shigeo

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 12 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at KAMORIYAMA about 4 June 45 - of Sepoy ABDUL RAHMAN	Not Guilty	Guilty

Precis of Evidence: The evidence adduced by the Prosecution was documentary and consisted of a written statement made by one SF6267 Jemadar QUTBUDDIN and the interrogation of the accused reduced to writing and signed by him. The deceased was a prisoner of war and it was alleged that on 2 June 46 he was suffering from dysentery and a severe cough. He stated he required a rest from fatigues and he so informed the accused (named in the statement as "JOTO HEI ITABASHI"). The accused slapped the deceased and tripped him causing him to fall to the ground. The accused then kicked the deceased with his boots, on the chest and stomach and then proceeded to strike him with a shovel. The deceased was treated by an Indian nursing orderly but he died on 4 June 46.

2. The accused did not give evidence. In his interrogation he stated that he had been in charge of Indians at KOMORIYAMA but he did not know the deceased by name. He remembered the nursing orderly referred (Over)

Sentence To be imprisoned for 20 years
and Date: 12 Jun 46

Confirmation Finding and sentence NOT confirmed
and by Whom:

Promulgation: Non-confirmation of finding and sentence promulgated
to accused on 17 Oct 46.

Petition: Lodged 25 June 46 against finding and sentence.

J.A.G.'s Report on Petition: That the finding and sentence should NOT be confirmed.
That there is no legal reason why the accused should
not be retried.

Action on Petition: Upheld.

Filed in Attorney-General's Department and Numbered

2.

Precis of Evidence (Contd:

to above. He admitted having beaten with his hands
two **Indians** whom he named.

DPW (AG13)2a/1) SG/WML

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Case 157

AWC No.....2376.....

Accused: C/Cpl ARITAKE Hideo

Aust W.C. List Ser No.....

Court, Place,
Date and
Formation: Rabaul
12 Jun 46
8 M.D.

Charge(s)	Plea	Finding
VIOLETION OF THE LAWS AND USAGES OF WAR to wit at New Britain about 8 Aug 45 assaulted NG YOKE SEE, CHAY CHOY, FOOK SOON KHAN, YEUN CHEE YEUN and FOONG YIN, Chinese Nationals.	Not guilty	Guilty

Precis of Evidence: The persons named in the charge were Chinese nationals conscripted in Japan and brought to Rabaul. Evidence for the prosecution was given by NG YOKE SEE to the effect that he and the other Chinese named in the charge were employed by the Japanese as labourers. The Chinese were engaged doing certain duties in connection with a distillery for making alcohol. The witness alleged that on 8 Aug 45 the accused stole four bottles of wine which had been made at the distillery. Later on the same day, the accused accused the Chinese of stealing goods from the store and asked them to confess. The Chinese would not confess and they were taken into a cave and he struck each of the Chinese three times on the body with a stick about 4 feet long and 3 inches in diameter. He again asked them to confess to the theft and they again refused. The accused struck them again with the stick until 4 of the Chinese were rendered unconscious. The Chinese reported to a Major named OKAHARA but he did not take any notice of the complaint. (See over for remainder)

Sentence and Date: To be imprisoned for 6 months. 12 Jun 46.

Confirmation and by Whom: Confirmed Lt-General V.A.H. STURDEE 3 Sep. 46

Pronulcation: 9 Oct. 46

Petition: Petition lodged 18 Jun 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentence and dismiss the petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

7

2. Evidence for the defence was given by the accused and Major OKAHARA. The accused admitted that on one occasion when the Chinese refused to confess to the theft of alcohol, he became irritated and lost his temper and slapped the Chinese as a warning. The witness for the defence corroborated the evidence of the accused that the Chinese were in the habit of stealing alcohol. He also stated that he punished the accused because he had slapped the Chinese. The accused also denied that he had ever struck the Chinese with a stick

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AUSTRALIAN MILITARY FORCES

AAF A117(a)
(Introduced Jan 46)
HQ AMF Use Only

DPW(AG13(2a))WML /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R94
June 154

AWC No.....

Accused: Cpl AJIMA Yuchi

Aust W.C. List Ser No.....

Court, Place, RABUL
Date and 7 & 8 June 1946
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR in that he at NEW BRITAIN illtreated Sepoy VENKAT SWAMY of 1 Bn Hyderabad Inf., a Prisoner of War.	Not Guilty	Not Guilty

Precis of Evidence: The substance of the evidence for the prosecution contained in statements made by VENKAT SWAMY and two other Indians was to the following effect. A Japanese named in the statements as JOTO HEI; AZIEMA was cruel to Indians with whom he came into contact and repeatedly beat them. In June 45 this Japanese was working in a party along with VENKAT SWAMY. Suddenly the the Japanese called out to VENKAT SWAMY "Soon, soon" & then rushed at him & struck him on the head with a spade causing bleeding from the head. VENKAT SWAMY was taken to his quarters where he was under medical treatment for two months. Written interrogation of the accused was put in evidence and the accused admitted therein that he knew and worked with VENKAT SWAMY. The accused in evidence said that he was working with a hoe very close to where VENKAT SWAMY was working. He saw the Indian pulling up a root and suddenly he staggered back just as he (the accused) was bringing down the hoe to strike the ground. VENKAT SWAMY was struck on the head. The accused said he gave(over)

Sentence and Date: NOT GUILTY - 8 June 46

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

7

Contd(Page 2)

him first aid immediately and that VENKAT SWAMY was treated for about 2 weeks. He denied the allegations of illtreatment.

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DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2818

Accused: S/M ONO Tameo

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 7 & 8 Jun 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT of a prisoner of war to wit at or near Rabaul about Aug 1945 ill-treated No.223 Sepoy Ahmed Sharif of 1 Bn. Hyderabad Inf., a PW.	Not Guilty	Guilty

Precis of Evidence: The evidence for the prosecution was documentary consisting of statements made by Sepoy Ahmed Sharif, Amir Ahmed, Havildar NARHARI Singh, and written interrogation of the accused. The statement of AHMED Sharif which is corroborated by the statements of AMIR AHMED and NARHARI Singh contains (inter alia) the following facts. About 4 days before the Armistice AHMED Sharif was returning to camp from guard duty at a tapioca field. He was confronted by the accused who commenced to beat him without giving any reason at all. When AHMED Sharif enquired the reason for the beating he was informed by the accused that it was because he had stolen some ginger. AHMED Sharif said he was not the culprit but the accused would not listen to him. He continued to beat him with a stout stick on all parts of the body for a considerable time and at intervals he asked AHMED Sharif if he was still alive. An Indian officer, Lt-Col Syed MOHAMMED ISHAQ intervened and tried to explain what had happened but the accused refused to listen. AHMED Sharif suffered extensive bruising and (P.T.O.)

Sentence and Date: To be imprisoned for 5 years. 8 Jun 46.

Confirmation and by Whom: Finding and sentence **confirmed** by Lt-Gen V.A.H. STURDEE.

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Petition lodged 17 Jun 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

7

abrasions and still suffered pain in his side and back. He had to receive medical treatment for a month.

2. The accused gave evidence in his defence and such evidence was corroborated in substance by S/M KANUBE. The accused stated he did not know an Indian named AHMED Sharif but knew an Indian by the name of AMD SHIRI. He admitted that he was convinced that this Indian was guilty of theft of onions and ginger and that he met the Indian one day when he was returning from the garden. He slapped him with his hand about tentimes until the Indian "toppled down" and he pushed him out of the way. He denied striking the Indian with a stick at any time.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

152

103

AWC No.....

Accused: L/Cpl ITO Toyagi

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 7 Jun 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL TREATMENT OF A PRISONER OF WAR in that he at KOMORIYAMA about Sep 1944 ill-treated No.101 Sepoy PEMA of 1/8 Punjab Regt a PW	Not Guilty	Not Guilty

Precis of Evidence: The prosecution tendered in evidence in support of its case a copy of a document purporting to be a copy of a statement made by the said Sepoy PEMA. The document was not signed and it was not admitted by the Court. The interrogation of the accused which had been reduced to writing and signed by the accused was then admitted in evidence. In such interrogation the accused denied that he was ever at KOMORIYAMA or that he knew Sepoy PEMA. The defending officer submitted that there was no case to answer. The submission was upheld by the Court and the accused was found not guilty.

Sentence
and Date: Not guilty - 7 Jun 46

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a)) WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. No.2645

Accused: Cpl OWA Tatsuo

Aust W.C. List Ser No.

Court, Place, RABAUL
Date and 7 June 1946
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR		
(1) At NEW BRITAIN about May 1944 he cruelly beat Gnr RAHMAT KHAN of H.K.S.R.A. a Prisoner of War	NOTGUILTY ON ALL CHARGES	GUILTY ON ALL CHARGES
(2) At NEW BRITAIN about March 1945 he cruelly beat L/NK MALIK KHAN of H.K.S.R.A. a Prisoner of War		
(3) At NEW BRITAIN about October 1943 he cruelly beat Gnr NOOR MOHD a Prisoner of War		

Precis of Evidence: 1. The evidence for the prosecution was documentary and consisted of statements made by each of the Indians named in the charges and the written interrogation of the accused and signed by him.
2. In connection with the first charge the statement made by RAHMAT KHAN contained the following facts on 5 May 1944 the accused ordered RAHMAT KHAN to climb a coconut tree but RAHMAT KHAN asked that he should not be ordered to do so as he was sick and could not climb. The accused then beat RAHMAT KHAN with a stick and kicked him till he fell to the ground in an unconscious condition. In the statement the name of the accused is shown as "ABE SOCHO of OWA HECHO of YAMAMOTO BRUTAI." It appears to be clear that there are two Japanese soldiers referred to and it should read ABE SOCHO and OWA HECHO of YAMAMOTO BRUTAI (YAMAMOTO BRUTAI being the name of a unit). In any event the accused was identified by RAHMAT KHAN by means of a photograph. (Over)

Sentence and Date: TO BE IMPRISONED FOR 5 YEARS - 7 June 46

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDIE

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Lodged 18 June 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

Precis of evidence (contd):

3. In connection with the second charge the statement by MALIK KHAN contained the following facts. On 15 March 45 whilst MALIK KHAN was on fatigue duty, allied fighter planes came over and machine gunned the area. The Japanese soldiers took cover in a trench and MALIK KHAN asked permission to take cover also. Some of the Japanese told him that the planes belonged to the Japanese but when MALIK KHAN recognised them as Allied planes he took cover in a trench. After the raid MALIK KHAN resumed fatigue duty. The accused approached him and without giving any reason struck MALIK KHAN with a heavy stick until he fell to the ground in an unconscious condition.

4. In connection with the third charge the statement of NOOR MOHD contained the following facts. On 15 Oct 43 NOOR MOHD was carrying out fatigue duty in digging a tunnel. The accused ordered him to lift a heavy coconut log but on account of ill-health he was unable to do so. The accused became angry and beat him with a heavy stick "mercilessly and severely" until he fell to the ground in an unconscious condition. His right leg was injured and he was sick for several days as a result thereof.

5. In respect of all the charges the accused denied the alleged assaults and stated that he had at no time Indians under his charge. He also claimed that all Indians except medical cases were moved out of the area in April 44. In this he was supported by S/M ABE Keiji.

7

AUSTRALIAN MILITARY FORCES

AAF A117(a)
(Introduced Jan 46)
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DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2637

Accused: Capt SEKI Takashi

Aust W.C. List Ser No.

Court, Place, RABUL
Date and 7 Jun 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR at or near Rabaul on or about 22 Aug 45 namely No.6808 Jemadar RAHMAT ALI No.1 AW Coy IE, a Prisoner of War.	Not Guilty	Guilty

Precis of Evidence: The said Jemadar RAHMAT ALI was an officer of the Indian Army and a prisoner of war in Japanese hands. On 21 Aug 45 after the Japanese surrender Indian personnel were issued with Japanese hats with red markings to indicate officers. The said RAHMAT ALI destroyed the hat issued to him and the fact was reported to the accused. Prior to this occasion the said RAHMAT ALI had been at variance with the accused the appointment of an Indian as leader of the Indian PW. The officer so appointed by the Japanese was junior to RAHMAT ALI. After the destruction of the hat all Indians were paraded by the accused. The accused slapped the said RAHMAT ALI with his hand until he was tired and then he flogged him with a leather belt. The said RAHMAT ALI fell to the ground in an unconscious state and on three occasions he was revived with water and the accused continued to flog and kick him. The said RAHMAT ALI was then tied to a tree. The accused obtained a sword and raised it as though he were about to decapitate the said RAHMAT ALI but was restrained by another Japanese. The accused made another attempt (over)

Sentence
and Date: To be imprisoned for 10 years - 7 Jun 46

Confirmation
and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to
accused on 9 Oct 46.

Petition: Lodged 20 Jun 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

Precis of evidence (contd):

and was again stopped. The accused then struck the same RAHMAT ALI with the sword scabbard on the head until RAHMAT ALI became unconscious again. The said RAHMAT ALI was then placed in a shell hole from 23 Aug 45 until 12 Sep 45 and was not permitted to vacate the hole for any purposes at all. On one occasion during the incarceration the said RAHMAT ALI together with other Indian officers were paraded before the accused. The accused asked those present to forgive him for his wrongs. The said RAHMAT ALI refused to do so and he was taken back to the shell-hole until he was released as a recovered PW.

2. The accused denied the ill-treatment as alleged. He stated that when he heard of the destruction of the hat by RAHMAT ALI "I pushed his body with my hand and gave him 3 or 4 slaps with another hand." He denied that RAHMAT ALI had been imprisoned at all.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)*R106 Q102 149*

AWC No.....

Accused: L/Cpl HONDA Minoru

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 6 June 46
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR in that he at Rabaul about September 1944 ill-treated NO.354 Sepoy MOHAMMED IMAN of 1 Bn Hyderabad Inf, a prisoner of war.	Not guilty	Not guilty.

Precis of Evidence: The evidence for the prosecution was documentary consisting of written statements by the said MOHAMMED IMAN and three members of the Indian Army. It was alleged that MOHAMMED IMAN had been purchasing food-stuffs from a native and he was observed doing so by the Japanese. Three Japanese named in the statements as "JOTO HEI, ABAW and HONDA" tied MOHAMMED IMAN to a tree and he was beaten by the Japanese with stout sticks on all parts of his body. When the Japanese tired of beating the Indian they dug a grave with the intention of burying him but they did not do so. He was then imprisoned in a tunnel for about 13 days and given one meal a day during the period. On his release he was under medical treatment for about 2 months. The defending officer submitted that there was no evidence of identification and the submission was upheld by the Court.

Sentence and Date: Not guilty - 6 June 46.

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

1007 Aug 146

AWC No. 720

Accused: Civilian HAYASHI Yoshinori

Aust W.C. List Ser No.

Court, Place, RABAUL
Date and 29 and 30 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER near RANAU - BORNEO in or about April 1945 of Pte Noel PARKER of 2/20 Aust Inf Bn.	NOT GUILTY	GUILTY

Precis of Evidence: 1. The deceased was a PW in Japanese hands and about the end of March 1944 he was a member of a party of PW which was being moved from Paginatan to Ranau. This party consisted of about 30 Australians. The escort were comprised of Formosans. The distance to be travelled was about 26 miles and the journey occupied 5 days. The accused was a member of the escort. The condition of the PW who made the journey was not good. When the party was about 8 miles from Ranau the deceased could not keep pace with the other members of the party. He was suffering from a swollen leg caused by beri beri. He was then assisted by two Australians namely Bdr Moxham (who gave evidence on behalf of the prosecution and WO Kinder. The accused kept shouting at them to hurry up but the deceased could not continue. The accused then came back to the three men and struck the deceased on the head and shoulders with the butt of his rifle. The deceased fell to the ground and the accused ordered WO Kinder and Bdr Moxham to join the main party.
(Over)

Sentence and Date: DEATH BY HANGING - 30 May 46

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE 2 Aug 1946

Promulgation: 30 August 1946 (Executed at RABAUL on 31 August 1946)

Petition: Lodged 7 June 1946 against finding and sentence

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

Precis of Evidence (contd):

They then heard the deceased screaming and on looking back they saw the deceased lying on the ground and the accused was striking him with his rifle butt. WO KINDER returned and pleaded with the accused to stop striking the deceased. The accused swung his rifle at WO Kinder and the accused again proceeded to strike the deceased with his rifle butt unmercifully. The accused continued to strike the deceased for about 10 minutes. WO Kinder and Bdr Moxham were then ordered to place the body of the deceased in the ditch at the side of the road. The deceased was dead at that time. Apart from the evidence of Bdr Moxham one Keith Botterill also gave evidence for the prosecution to the effect that he saw a body at the roadside and recognised it as the body of the deceased.

2. The accused denied the charge and stated (inter alia) that he did not at any time strike the deceased with his rifle butt or in any other way which would inflict injury.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: L/Cpl MENA Hishao

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 28 May 46
Formation: 8 ID.

Charge(s)	Plea	Finding
<u>1st Charge</u> MUTILATION OF THE DEAD in that he at N.G. on or about 20 Jul 45 mutilated the dead body of a deceased soldier.	Not guilty on both charges	Not guilty on both charges
<u>2nd Charge</u> CANNIBALISM in that he at New Guinea on or about 20 Jul 45 ate portion of the dead body of an Australian soldier.		

The prosecution relied on the evidence of one Lt TAZAKI Takahiko

Precis of Evidence: At the outset TAZAKI stated that on 20 Jul 45 he saw the body of an Australian soldier and that he cut some flesh from the body and ate it. He further stated that the accused was present and he could not remember what the accused did at the time. The Prosecuting Officer by leave of the Court tendered interrogations reduced to writing and signed by TAZAKI. In these interrogations TAZAKI admitted (inter alia) that he and the accused mutilated the body with a dagger and a pocket knife and that he (TAZAKI) had eaten some of the flesh. Later in the course of the proceedings the Court granted the Prosecuting Officer leave to treat TAZAKI as a hostile witness and a declaration by TAZAKI marked Exhibit "A" was referred to. In this declaration TAZAKI admitted (inter alia) that assisted by the accused he cut up the body of the deceased Australian soldier and "we subsequently ate portion of it". The accused in evidence in his defence admitted being on guard pursuant to TAZAKI's orders and whilst TAZAKI was cutting up the body. TAZAKI gave him three small pieces of flesh which he buried without eating.

Sentence
and Date: Not guilty - 28 May 46.

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

7

detailed summary
of prosecution testimony
concerning Torture

1

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)Accused: Civilian KITAMURA Kotoro
Civilian KAWAKAMI Koyoshi
Civilian SUZUKI Saburo

AWC No. 755,751,824.

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 25, 27 and 28 May 46.
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER at RENAU BORNEO about March 1945 of Pte CLEARY a member of the Australian Imperial Force.	Not guilty	All accused guilty.

Precis of Evidence: Evidence for the prosecution was given by one Keith Botterill a former member of the AIF and a former PW in the hands of the Japanese. His evidence contained (inter alia) the following facts. The deceased along with another Australian PW namely Gnr CREASE, escaped from custody in or about March 45. About 4 days later the witness on returning from a fatigue with a rice carrying party noticed that the deceased had been recaptured and he was in the guard house. The guard house was a portion of a hut used by all PWs. It was a long hut and one end of it was used as a hospital, the centre portion was occupied by PW and the other end was used as a guard house. There were no partitions in the hut. When the witness first saw the deceased after his recapture he was inside the guard house kneeling on the gravel floor, with a round rough bush log about 6 feet long and 3 inches in diameter tied to the back of his legs behind his knees. He was clothed only in a "G" string, his arms were tied high up behind his back and fresh and dried blood on his face and body. The accused KITAMURA (who was either (over)

Sentence To suffer death by hanging.
and Date: 28 May 46.Confirmation
and by Whom: Lt-Gen. V. A. H. STURDEE.

Promulgation: Confirmation of finding and sentences promulgated to accused on 17 Oct 46. Each accused executed at Rabaul on 18 Oct 46.

Petition: Lodged by each of the accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.

Guard Comd or 2/c) and the accused SUZUKI (who was either 2 i/c or a member of the guard) were both present. There were at least two other Japanese present. The witness saw the accused kick the deceased viciously on the body and face and mouth. At times they held the deceased's head up and hit him on the throat with their knuckles, and then charged him with fixed bayonets stopping about an inch from his face. Both the accused jumped on the log at the back of the deceased's knees causing him to scream in pain. Sometimes they stamped on the log with one foot and at times with both feet.. About every half hour they made the deceased stand up on his feet and cause further pain. During this time the Japanese (which included the accused) struck the deceased with fists, sticks, rifle butts and anything else which came to hand. The ill-treatment as above lasted from about 1400 hrs until 1930 hrs. At 1930 hrs the PW were ordered to go to their bunks but the witness heard the deceased moaning and crying out all night. The witness heard that the deceased was not affixed to the log all night but at 0650 hrs next morning the log was again fixed to his legs. The same Japanese continued the illtreatment of the same nature as before until 0845 hrs when the guard was changed. The ill-treatment continued until the witness went out on fatigue and on his return at midday the illtreatment was continuing. At this time the accused KAWAKAMI together with 4 other Japanese were continuing the ill-treatment. The witness thought that the accused KAWAKAMI was the Guard Comd.. Shortly after midday Japanese MP brought Gnr Crease into the Guard House. The deceased was then kicked under a bunk by the accused KAWAKAMI. At this time the deceased was kneeling down about 2 feet away from the bunk. At about 1800 hrs the deceased was ordered to come out from under the bunk and the log which was affixed to Gnr Crease's legs was also affixed to the deceased's legs. The illtreatment of jumping on the logs striking with fists and rifle butts and kicking was continued. The deceased and Crease begged the accused and the other Japanese to stop but the more they begged the more brutal was the ill-treatment. This ill-treatment continued till dark for about 1 1/2 hours. The nature of the ill-treatment on this occasion was punching on the Adams Apple grinding the knuckles into the eyes of the Australians, bumping their heads together by catching hold of the hair of their heads, jabbing the muzzle of rifles into their chests and backs and hitting them on the head and side of the face with rifle butts. The witness heard this ill-treatment continuing throughout the night particularly when the guard was being changed. Next morning at 0700 hrs both the Australians were attached to the log again and the accused KAWAKAMI was the only guard present at this time. The ill-treatment meted out was particularly brutal. The accused KAWAKAMI stopped torturing the deceased and Gnr Crease and was checking out fatigue parties. An opportunity presented itself and Gnr Crease managed to escape into the jungle. Immediately thereafter the witness was taken out on fatigue and did not return for four days. On his return he observed the deceased tied with a rope by the neck to a tree and he was still dressed only in a "G" string. There were multiple bruises and blood blisters on his face and all over his body and his face and body was covered with dried blood. He was in a very filthy state. There was excreta on the ground and the deceased was obviously suffering from a type of dysentery. The place where he was tied to the tree was exposed to the hot sun in the day time and at night the weather was extremely cold. and he remained there for about 4 days. During that period the Japanese repeatedly struck the deceased with rifles and kicked the deceased. This would occur on an average of 30 times a day. During this period each of the accused indulged in kicking the deceased and striking him with their rifles. At the end of four days the deceased was moved to a place near a gutter on the road side. He was then in a very weakened condition and was semi-conscious. Eventually the deceased was released and he was brought into the PW quarters in a dying condition and he died very shortly after. Repeatedly the accused KAWAKAMI said to the Australians "If you escape the same thing will happen to you ".

2. The accused each gave evidence in their defence and they denied having taken any active part in the alleged punishment and illtreatment, of the deceased and stated that they were absent from the area at all material times. They called corroborative evidence to this effect.

3. The prosecution called rebutting evidence to the effect that the accused were present at all material times.

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

Lt-Gen ITO Takeo AWC No. 2113, 2130, 2133,
Lt-Col SATO Tadahiko 2669, 2905, 2108, 2846
Capt OTSUKA Masanori AWC No. 2131, 2132.
WO MATSUMOTO Tsugiji
WO UENO Koichi
Accused: S/M KAWAMURA Kagaaki Aust W.C. List Ser No.
Sgt SHIRAKI Jinichi Cpl WATANABE Moju (Not Guilty)
Cpl KAWASAKI Masatoshi (Not Guilty)

Court, Place, RABAUL
Date and 24 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at NEW IRELAND in or about 1944-45 of a number of chinese civilians, half caste civilians, and natives.	Not Guilty	All accused guilty except WATANABE and KAWASAKI.

Precis of Evidence: The evidence for the prosecution consisted of written statements made by two natives, interrogations reduced to writing and written statements by certain accused and two Japanese soldiers.

2. In substance the admitted facts were that the Japanese from April or May until the cessation of hostilities suspected certain Chinese civilians, half caste civilians and natives of espionage. Throughout the whole case no evidence was brought forward by the defence to establish any actual cases of espionage and only very general statements were made in regard thereto. Certain inhabitants of the Island were arrested and at various times executions took place. One witness for the prosecution furnished the names of some of the persons who were executed and stated that there were many more. Prior to such executions certain investigations were made and statements were obtained and forwarded to the accused MATSUMOTO who was in charge of a detachment of Military Police. The accused MATSUMOTO passed the documents to his CO the accused OTSUKA who was in charge of the Military Police.

The accused OTSUKA (Over)

Sentence The convicted accused ITO, T SATO, T Death by shooting - 24 May 46.
and Date: The remaining convicted accused - Death by hanging - 24 May 46.

Confirmation and by Whom: Finding and sentences in each case NOT confirmed.

Promulgation: Non-confirmation of findings and sentences promulgated to each accused (except MATSUMOTO, UENO, and SHIRAKI) on 18 Oct 46.
Accused MATSUMOTO, UENO and SHIRAKI executed on 26 Jun 46 in respect of RABAUL COURT NO. 35.

Petition: Petition lodged 5 Jun 46 by convicted accused ITO T against finding only. Petitions lodged 5 Jun 46 by all other convicted accused against findings and sentences.

J.A.G.'s Report on Petition: That the findings and sentences should not be confirmed.

Action on Petition: Petitions upheld.

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (Contd).

passed the statements to the accused SATO the staff officer to the accused Lt-Gen ITO, and after examination of the statements the accused SATO would pass such statements to the accused Lt-Gen ITO and usually expressed his opinion on the case in question. Lt-Gen ITO was the Supreme Commander of the Japanese Forces in New Ireland. On occasions Lt-Gen ITO would send the papers back for further investigation regarding the case under consideration. When he was satisfied that all enquiries had been made he would consider the case and decide whether the accused person was guilty or not guilty. He would then in the cases where he considered the accused guilty, decide upon the punishment which was usually a whipping or execution. If the accused person was considered to be not guilty he would order release. The findings, where guilty together with the punishments imposed and the findings of not guilty together with orders for release were then passed back to the accused SATO who in turn passed them to the accused OTSUKA who then sent them to his subordinate the accused MATSUMOTO. MATSUMOTO then gave orders to his subordinates the accused WATANABE and KAWASAKI to carry out the orders of the accused Lt-Gen ITO to effect releases, or whippings or executions as ordered in each case. The accused KAWAMURA, SHIRAKI, WATANABE, KAWASAKI and UENO admitted in evidence that they took part in the executions but claimed that they merely carried out orders.

3. Each accused gave evidence in his defence and briefly their defence was as follows :

Lt-Gen ITO, claimed that he tried the persons who were accused of espionage in accordance with International Law. He also stated that he accepted the whole responsibility for having adopted such method of trial. He considered he had given accused persons a fair trial and in fact had ordered the release from custody of a number of persons. He also admitted giving orders for executions of persons whom he found guilty and whose acts warranted sentences of death.

The accused SATO claimed that he merely acted in the capacity of Staff Officer to the accused Lt-Gen ITO. He also expressed the opinion that the alleged trials conducted were the best available means in the existing circumstances in New Ireland.

The accused OTSUKA admitted passing on the orders received from the accused SATO. He contended that this was the only part he took in connection with the execution.

The accused MATSUMOTO denied that he took part in the executions or that he was present at any of the scenes of such executions. He admitted he passed on the orders to his subordinates to conduct the executions.

The accused UENO, KAWAMURA, SHIRAKI, WATANABE, and KAWASAKI stated in evidence that they took part in the executions and contended that they were carrying out the orders of superior officers.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2244

Accused: S/N MATSUMURA Tadashi

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 21 May 46
Formation: 3 MD

Charge(s)	Plea	Finding
MURDER at New Guinea in or about Sep 44 of Sepoy BINDRU RAM of 5/2 Punjab Regt.	Not guilty	Guilty

Precis of Evidence: 1. The evidence for the prosecution was documentary and consisted of the following:- certified copy of statement of Naik BARA SINGH and documents signed by Sgt. SHIGETAKA. The substance of the evidence contained in the statement of BARA SINGH is as follows. In Sep 44 the deceased BARA SINGH and other members of the Indian Army were moving under Japanese escort from PAROM to MOI. Owing to weakness from malnutrition and the weight of the Japanese stores which he was carrying the deceased was unable to keep pace with the main body. During the march BARA SINGH saw SHIGETAKA beat the deceased with a stick and when he fell to the ground he continued to beat him. The deceased was left lying on the road-side. Three days later the deceased arrived at MOI and reported to SHIGETAKA who in turn spoke to Lt-OKUBE. Immediately after SHIGETAKA assisted by the accused bound the deceased to a tree with a rope passed tightly round his neck and as a result he was strangled. Subsequently BARA SINGH attended the burial of the deceased. The said SHIGETAKA committed suicide (P.T.O.)

Sentence and Date: To suffer death by hanging - 21 May 46

Confirmation Lt-Gen V.A.H. STURDEE
and by Whom:

Confirmation of finding and sentence promulgated to accused on
Promulgation: 18 Oct 46. Accused executed at Rabaul on 19 Oct 46.

Petition: Petition lodged 7 June 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss the petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.

prior to this trial and left two written documents. One of these documents contains (inter alia) the following words. "However among the three charges the following two, BINT RAM's charge is definitely not connected with S/Major MATSUMURA and GARUJU RAM's charge is definitely not connected with Capt. OKUBO" and the other document contains (inter alia) the following words "I swear that everyone is not connected with the matter which concerns my incident."

2. The accused gave evidence in his defence and he stated that he had heard of the deceased and that he had been strangled by SHIGETAKA. He denied being present or taking any part in such strangling whatsoever. He admitted that he knew BARA SINGH and that when interrogated he had stated that he did not know the deceased and that he had not disclosed any information regarding the strangling because he was protecting the said SHIGETAKA.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Sgt CHIBA Kihatsu

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 20 May 46
Formation: SMC

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR in that he at NEW BIRTAIR on or about 8th August 1945 cruelly beat 28009 Sepoy SHIEK AHMED, a prisoner of war	Not Guilty	Not Guilty

Precis of Evidence: The evidence for the prosecution consisted of two written statements made by Indian PW. It was alleged that SHIEK AHMED was very weak through illness. He was given an order by the accused in Japanese but he did not understand it. The accused then beat SHIEK AHMED with a stick until he became unconscious. After the beating he was bleeding from wounds in the neck and chest and the accused ordered that he was not to be given any food. About a week later when SHIEK AHMED was still in bed the accused came and threw him out of bed on to his back. He kicked him about a dozen times & then put his foot on his neck for about 5 minutes. SHIEK AHMED appeared to be dead and the accused had him removed and buried. The defence alleged that in August the accused had no contact with Indians and denied the illtreatment. It was also alleged that SHIEK AHMED died as a result of a tropical ulcer. The accused gave evidence and his evidence was corroborated by witnesses.

Sentence and Date: NOT GUILTY - 20 May 46

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Capt OTSUKA Riichi

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 17 May 46.
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER in that he in May 43 at SAIAIAIA murdered YEE PIK KHAI a Chinese civilian PW.	Not guilty	Not guilty

Precis of Evidence: The evidence for the prosecution was documentary. It was contained in written statements made by two Chinese. One witness alleged he heard 3 shots fired in quick succession. The witness went to the top of a hill and about 200 yds away saw the deceased, the accused and three Japanese soldiers. The deceased was appealing for his life saying that he had a wife and children in China. The accused was standing about 10 feet away and to the side. The witness then saw a Japanese soldier bayonet the deceased. The statement of the other witness contained hearsay evidence. The accused in evidence denied the charge and alleged that he was a patient in hospital from Feb 43 until 15 aug 43. He further stated that there ^{was} another "Capt OTSUKA" in the vicinity. The evidence as to hospitalization was corroborated.

Sentence and Date: Not guilty - 17 May 46.

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2107

Accused: S/M MACHIDA Yoshinori

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 13 and 14 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
1. TORTURE at Rabaul between Dec 43 and Apr 44 of CHIN HIM a civilian	NOT GUILTY	GUILTY
2. TORTURE at Rabaul between Dec 42 and Apr 44 of YIM CHONG a civilian	NOT GUILTY	GUILTY

~~Precis. of Evidence:~~ The case for the Prosecution was contained in the evidence of the two Chinese referred to in the charge. Both Chin Him and Yim Chong were taken from Duke of York Island to Rabaul by the accused. They were to be questioned in regard to certain radio bulbs and a bicycle head lamp which it was alleged were found in the residence of the Chinese at NODUP. The Chinese occupied the same house whilst residing at NODUP. The Chinese stated in evidence that they were kept in prison for about a month and then they were questioned on about 15 occasions. On the occasions of the questionings the said Chinese were either beaten with a cane about 3 feet long and an inch in diameter or forced into a kneeling position and made to remain erect with a stick about 2 inches long and 1 inch in diameter fixed at the back of their knees, or made to lie on their backs whilst water was poured into the mouth and nose. The act of pouring water into the mouth and nose of the said Chin Him caused him to vomit.

(over)

Sentence 10 YEARS IMPRISONMENT - 14 May 46
and Date:Confirmation Lt Gen V.A.H. STURDEE
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated to accused on 16 Aug 46.

Petition: Lodged May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirmation of finding and sentence and dismissal of petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered

7

Precis of Evidence:

2. The accused gave evidence in his defence. He admitted that on occasions he struck the said Chinese on the face with his open hand but said they were not violent blows, and that he only made threats to pour water into the mouths of the Chinese as a joke in an endeavour to frighten them into making an admission. He denied, in the main, the various allegations made by the Chinese.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

S/M MOTEKI, Motoi
S/M EBINE, Hichinosuke
Cpl HARADA, Nobuyuki
Accused: Cpl YAMABE, Yoshio (Not Guilty)

AWC No.2794,...2795,...2793,...2796

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and II May 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at WARANGOI on or about 17 Oct of No.19931 Sepoy MOHD SHARIF	44 NOT GUILTY	All accused guilty except YAMABE Yoshio - not guilty.

Precis of Evidence: The deceased was an Indian PW in Japanese hands and quarrelled with one of his fellow prisoners. A fight ensued and the Japanese intervened and took the deceased to their barracks. The accused thereupon proceeded to beat the deceased very severely. To prevent the deceased from calling out the accused gagged him with a sandbag. Several Indian PWs witnessed the beating and the gagging. When the deceased was beaten into a state of semi-consciousness the accused dragged the deceased outside and tied him to a coconut tree. He was suspended from the ground, a rope was tied round his legs, waist and hands. The deceased was struggling and loosened the ropes. One of the Indians was forced to tighten the ropes. The deceased at this time was making a noise and one of the accused placed a rope round the neck of the deceased and tied it round the tree. The Indians who were present were then ordered to leave the scene. About 20 minutes later another Indian went to the deceased and found that he was dead. The accused (inter alia) denied that they were associated with the crime.

Sentence and Date: Each of the guilty accused sentenced to death by hanging.
II May 46

Confirmation and by Whom: Confirmed by Lt. Gen. V.A.H. STURDEE.

Promulgation: Confirmation of finding and sentences promulgated to each accused on 14 Aug 46. Accused executed by hanging at Rabaul on 15 Aug 46.

Petition: Petitions submitted by each convicted accused against findings and sentences - 24 May 46.

J.A.G.'s Report on Petition: Confirmation of findings and sentences and dismissal of petitions.

Action on Petition: DISMISSED.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Cpl MORIOKA Torao

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 10 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at FOURWAYS on or about 29 Aug 44 of Pnr KALYA MISTRI a member of the Indian Army	Not Guilty	Not Guilty

Precis of Evidence: On 29 Aug 44 the accused was a member of a fatigue party. He was sick and in a weak condition and was unable to work hard. The accused and two other Japanese gave orders to the deceased to work more quickly but the deceased was unable to do so. He then commenced to beat him and such beating lasted for about half an hour. The deceased as a result was rendered unconscious. About an hour later the accused and another Japanese returned with rifles and bayonets and they both bayoneted the deceased through the neck and chest causing death instantaneously. The accused gave evidence in his defence and denied the allegations made. He alleged that the deceased was killed by a bomb from Allied planes. Witnesses were called to corroborate the evidence of the accused.

Sentence
and Date: Not Guilty - 10 May 46Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: 2nd Lt SUGIMOTO Tadashi
Cpl KIBO Katsuo

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 9 May 46
Formation: 8 M.D.

Charge(s)	Plea	Finding
MURDER in that they at MINAMISAKI on 19th Dec 44 murdered MANGA KHAN, an Indian prisoner of war	Both accused not guilty	Both accused not guilty

Precis of Evidence: Prior to Dec 44 the accused SUGIMOTO advised Indian PW who were in a working party that he proposed to beat 5 men every day irrespective of whether they had committed an offence or not. On 16 Dec 44 the deceased who was in delicate health was selected and was beaten. He was also beaten on 17, 18 & 19 Dec 44. The accused KIBO administered the beatings and as a result thereof the deceased died on 19 Dec 46. Both the accused gave evidence in their defence and denied beating the deceased. They both alleged that the beatings were carried out by two other Japanese who had been killed in an explosion. There was additional evidence adduced by the ~~prosecution~~ ^{defence} to support the contention that the accused had not beaten the deceased.

Sentence
and Date: Not guilty - 9 May 46Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: W/O OCHI Hideo
Cpl TAKAHASHI Katsumi

Aust W.C. List Ser No.....

Court, Place,
Date and
Formation: Rabaul
8 May 46
8 MD.

Charge(s)

Plea

Finding

MURDER at New Britain on or about
26 Oct 44 of Saik LORD KHAN of
H.K.S.R.A.Not
guilty

Not guilty

Precis of Evidence: Evidence for the prosecution consisted of a statement by one Subedar Sahib DAD which contained (inter alia) the following facts :- In the early morning of 26 Oct 44 certain Indian prisoners of war had fallen in for fatigue. The deceased requested that a wound on his leg be dressed and Japanese named as "OCHI GUNSO" and "TAKASHI JOTOHE" struck the deceased with sticks and kicked him on all parts of the body and legs. A request was made to spare the deceased but the Japanese struck him with sticks, the blows being more severe. The deceased was bleeding from the mouth and nose and on 28 Oct 44 he died. Neither of the accused gave evidence in their defence. On interrogations which were reduced to writing, they denied that any happenings as alleged took place. The Japanese defending solicitor submitted that there was no evidence of identification of the deceased.

Sentence
and Date: Not guilty 8 May 46.Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.

Accused: Surgeon Lt KUGA Toro
Sgt ITA Isamu
L/Cpl TODA Fusaichi

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 7 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL TREATMENT OF PRISONERS OF WAR in that they at TALLILI between July 1943 and December 1944 did cruelly ill-treat Indian prisoners of war	All accused not guilty	All accused not guilty

Precis of Evidence: The evidence for the prosecution was documentary. It was alleged that when Indian Army officers protested because they were made to work they were beaten with sticks and kicked by the accused ITA and TODA. On another occasion it was alleged that an order was given that a party of Indians were to have their hair cut off. As this was contrary to their religious beliefs the Indians protested and they were beaten and their hair was forcibly cut off. On a further occasion an officer was forced to dig a trench/because he was unable to carry an iron container filled with soil he was beaten by the Japanese. The accused KUGA repeatedly ordered sick men to work. He treated patients suffering from wounds cruelly and instead of curing them the wounds increased in size. The defending officer submitted that there was no case to answer and the Judge Advocate submitted that there was no identification of the accused.

Sentence
and Date: Not guilty - 7 May 46Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Paymaster Lieutenant
OOISHI Tadayasu

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 4 & 6 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at KOKOPO on or about 12 Jun 43 murdered Sepoy HADIAL RAM a member of the Indian Army	Not Guilty	Not Guilty

Precis of Evidence: The evidence adduced by the Prosecution consisted of written statements made by 4 members of the Indian Army. The substance of the evidence was as follows:- On 12 Jun 43 the deceased was loading rice and on account of ill-health he was unable to lift a bag of rice. The accused became angry and kicked the deceased until he was rendered unconscious. Efforts were made to revive him and then the accused ordered a Japanese to kill the deceased. The accused and the Japanese soldier then continued to beat and kick the deceased until he was quite unconscious. It was then noticed that life was extinct. The accused denied all knowledge of the alleged assault. The accused stated that the deceased died from injuries received as a result of falling off a truck. *The evidence of the accused was corroborated in certain aspects.*

Sentence
and Date: Not guilty - 6 May 46

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Cpl YANO Matsusuke

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 3 and 4 May 46
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER near Rabaul on or about 17 Mar 44 of Pnr BACHUKOLI, Pnr JUTAN DAS, Pnr GORIYA DAS, Pnr GORIYA LOHAR, Pnr BHAJU LOHAR members of the Indian Army,	Not guilty	Not Guilty

Precis of Evidence: Evidence for the prosecution consisted of written statements by 3 members of the Indian Army. It was alleged that the accused had threatened to kill all Indian PW who were unable to work and on 17 Mar 44 the accused set fire to an ammunition dump in the neighbourhood of the PW's quarters. The deceased took cover in a trench and an exploding bomb caused the sides of the trench to collapse. The deceased were buried and when they were uncovered they ^{were} found to be dead. The accused gave evidence in his defence. He denied setting fire to the dump and alleged that he was not in the vicinity thereof at the time alleged.

Sentence and Date: Not guilty - 4 May 46.

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Lt-Comd NAKAYAMA Hirrumi

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 30 Apr 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at NAURI Is. on or about 9 Sep 42 of two Chinese civilians LAMPO and CHAN NAN	Not Guilty	Not Guilty

Precis of Evidence: Evidence for the prosecution was to the effect that on or about 9 Sep 42 the Chinese on the Island were assembled and through an interpreter they were told that two Chinese namely the deceased were found out of their quarters at night. As this was contrary to orders they would be executed. The execution of the deceased was not witnessed but on the following afternoon Japanese came to their quarters and removed their belongings. The accused in evidence denied the execution of the deceased. He stated that the deceased were found breaking into a store and as they had attempted to run away they were bayoneted by sentries whose names could not be remembered.

Sentence
and Date: Not guilty - 30 Apr 46

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: L/Cpl ONODERA Kiyoshi

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 11 June 46
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT of prisoners of war		
(1) At or near Rabaul about July 45 ill-treated Jemadar Bashi-Ruddin Ahmed of 1 Bn Hyderabad Inf a prisoner of war.	Not guilty on both charges.	Not guilty on both charges.
(2) At a time and place unknown ill-treated Naik SHAM BONATH a prisoner of war.		

Precis of Evidence: The evidence for the prosecution was documentary and consisted of statements in writing made by 3 Indians. The substance of the evidence contained in the statements was as follows. In about July 45 BASHIRUDDIN AHMED (named in the 1st charge) was in his quarters in bed. He was under medical treatment for ulcers on his hand and leg. A Japanese named JOTO : HEI ONODALIA (NAKAMURA BRUTAI) asked him why he was not on fatigue and on being advised of the reason he slapped BASHIRUDDIN AHMED on the face. ONODALIA then drew a knife and aimed a blow at the Indian's head. The Indian put up his hand to protect his head and the knife struck him on the wrist causing a wound about 2 inches in length. SHAMBONATH (named in the 2nd charge) was working in a fatigue party carrying logs. He was too weak to do so and the Japanese in charge HACHO ONODARA on seeing this slapped the Indian on the face and threw him to the ground causing him to faint. The Japanese kicked him in the ankle. The defending officer submitted (PTO)

Sentence and Date: Not guilty - 11 June 46.

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

that there was no case to answer as there was no evidence to identify the accused with the persons named in the respective statements. The Court found that there was no case to answer and found the accused not guilty on both charges.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)R96 Dec 197
AWC No.....

Accused: Cpl MATSUI Kichijiro

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 28 & 29 May 46
Formation: 8 MD.

Charge(s)	Plea	Finding
<u>1st Charge :</u> MURDER at New Guinea in or about Jan 45 of L/Nk SADHU SINGH.	Not guilty on both charges.	Not guilty on both charges.
<u>2nd Charge :</u> MURDER at New Guinea in or about Jan 45 of HAV MEHR DIN.		

Precis of Evidence: 1st Charge : The evidence for the prosecution was contained in a written statement made by one Sepoy RATTAN SINGH. It was alleged therein that the deceased SADHU SINGH was ordered by the Japanese to join a sago collecting fatigue. He was suffering from beri beri and asked to be excused. A Japanese named Lt TOKUDA on hearing this ordered his orderly (named in the statement as "Pte MASE") and another Japanese named Cpl ANAKAI to beat the deceased. They thereupon beat the deceased with sticks very severely causing head injuries and rendering him unconscious. As a result of such beating, the deceased died the same evening.

2nd Charge : The evidence for the prosecution was contained in a written statement made by one Sepoy RATTAN SINGH. It was alleged therein that the deceased HAV MEHR DIN was ordered to accompany a foraging party. As he was suffering from beri beri he remained in his quarters and asked permission to rejoin his own Platoon. A Japanese officer named Lt TOKUDA ~~ordered his orderly named in the statement as "Pte MASE" and a Cpl ANAKAI~~ (PTO)

Sentence
and Date: Not guilty. 29 May 46.Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

to beat MEHR DIN. Both Japanese beat the deceased with thick sticks inflicting serious head injuries. It was further alleged that as a result of the beating, the deceased died the same evening. The accused in evidence on both charges admitted he was Lt TAKUDA's orderly in Oct 44 but thereafter Lt TAKUDA had no orderly. He denied beating Indians at all and did not remember the names of the deceased. The Derending Officer submitted that ^{there} was no identification of the accused with "Pte MASE" referred to in the statements.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.

Accused: Sgt TAKIZAWA Tadashi

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 20 & 21 May 46
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT of a prisoner of war in that he at New Guinea in or about July 1944 cruelly beat 18036 Sepoy Ran SINGH of 1/14 Punjab Regt a prisoner of war.	Not guilty	Not guilty

Precis of Evidence: The evidence for the prosecution was documentary and consisted of a statement by one Naik BARA SINGH. The substance of the statement was that RAN SINGH requested that as he was in a very poor state of health he be allotted light work. The accused and another Japanese named KAMINAKA (alleged to have been lost in action) beat him with such severity that he died about a week later. The accused denied the charge and alleged that at the time in question he was in charge of the kitchen and had no dealings with the Indians at all. His evidence was in a measure corroborated and a witness for the defence alleged that RAN SINGH died of malaria and enteritis.

Sentence and Date: Not guilty - 21 May 46.

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Sgt Maj HARA Toshida

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 17 May 46
Formation: 8 ID.

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR in that at NAMALE in Feb 45 he ill- treated Pte GOR BIN HAHN a prisoner of war.	Not guilty.	Not guilty

Precis of Evidence: In Feb 1945 the accused criticised GOR BIN HAHN for not carrying sufficient bambo poles for the work on which he was engaged. The accused told him he would not receive any breakfast and subsequently the accused attacked GOR BIN HAHN with a shovel. GOR BIN HAHN was struck on the head nine or ten times until he fell to the ground. He was taken to the Chinese Hospital where he remained for about 10 days. After his discharge the accused told him he must do what he was told or else he would be killed. The accused denied the ill-treatment as alleged but admitted that he found the GOR BIN HAHN and another Chinese fighting over a stolen watch so he slapped them a few times. The evidence of the accused was in a measure corroborated.

Sentence
and Date: Not guilty - 17 May 46.

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

AAF A117(a)
(Introduced Jan 46)
HQ AMF Use Only

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

Aust W.C. List Ser No.....

Finding

Not Guilty

Precis of Evidence: The evidence for the prosecution was documentary consisting of written statements made by two Indians. The deceased HAV KARTAN SINGH was suffering from beri beri and on 3 May 45 a Japanese named in the statements as "AI HECHO" together with two other Japanese ordered the deceased to go out on gardening fatigue but owing to his illness he was too weak to work. The Japanese tied a rope round his neck & pulled him backwards and forwards along the ground. They also swung him off the ground by holding on to his beard and hair. One of the Japanese then gave the deceased a beating with such severity that it caused the deceased to fall to the ground in an unconscious condition. He was left lying on the ground until the other Indians in the fatigue party returned to their quarters and took him with them. The deceased died on 4 May 45. The accused gave evidence in his defence and denied the assaults and cruelty or the murder as alleged in the (over)

Filed in Attorney-General's Department and Numbered.....

statement. The defence further alleged that the deceased died as a result. Tubercular Arthritis and a medical certificate to this effect was put in evidence.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: Lt KAWAHARA, Kiyomune
Sub-Lt 1st Class UEDA, Kose
Sub-Lt 1st Class KAKINUMA, Morio
W/o YOSHIZAKI, Kyosato
P/O 3rd Class SHONO, Shoichi
P/O 2nd Class HARA, Yoshito
Court, Place, Date and Formation: Morotai, 22-23-25 Feb 46, Morotai Force.

AWC No. 1230, 1269, 1231, 1271, 1252
1213.

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
Committing a War Crime that is to say Murder of prisoners of war in that they at or near PASSO AMBON on or about 26 April 1945, murdered VX39756 Pte WADHAM T.F. of 2/21 Aust Inf Bn QX10714 Spr MORRISON J of 2/11 Fd Coy NX7039 Dvr SIMPSON R.A. of AASC and NX2116 Cpl SOLOMON J of AASC then Australian prisoners of war held by the Japanese Armed Forces.	Not guilty	Guilty

Precis of Evidence: Evidence discloses :

1. That four Aust PW mentioned above were executed at PASSO on AMBON on 26 Apr 45 for stealing food from a Japanese store.
2. That Lt KAWAHARA was in command of the execution party and that he gave the order to the members of the party for the execution. This officer who was then a 2nd Class Lt to which rank he was appointed in 1942 was later promoted to 1st Class Lt. He is 42 years of age.
3. That UEDA and KAKINUMA were both Sub Lts and are 25 and 26 years of age respectively.
4. That the first PW executed and referred to as the ringleader was bayoneted by Seamen SHONO and HARA who have each since been promoted to P.O.
5. That the second to be executed was beheaded by Sub Lt KAKINUMA.
6. That the third and fourth were beheaded by Sub Lt UEDA and WO YOSHIZAKI.

Sentence and Date:	25 Feb 46.		
	Lt KAWAHARA Kiyomune	-	Death by shooting.
	Sub Lt 1st Class UEDA Kose	-	" " "
	Sub Lt 1st Class KAKINUMA Morio	-	" " "
	W/o YOSHIZAKI Kyosato	-	12 years' imprisonment
	P/O 3rd Class SHONO Shoichi	-	15 " "
	P/O 2nd Class HARA Yoshito	-	15 " "

Confirmation and by Whom: Lt-Gen V.A.H. Sturdee - 30/4/46.

Promulgation: YOSHIZAKI 5/12/46. Others 10/5/46.

Petition: Submitted by all PW against conviction and sentence by the Court, on 28 Feb 45.

J.A.G.'s Report on Petition: That findings in all cases should NOT be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

7. That the PW came under command of 20 Garrison, a subordinate unit to 25 Naval Base Unit (4 South Seas Fleet).
8. That NO courts martial were held by 4 South Seas Fleet or 25 Naval Base Unit concerning PW at that period.
9. That Japanese law requires that sentence of death by a Japanese Court Martial should be carried out by shooting (not beheading or bayonetting).
10. That the above PW did not leave the guard house or its vicinity from time they were charged until when taken to place of execution WO YOSHIZAKI knew that this was so.
11. That PW had been warned of penalties of death for certain acts but no order was issued to them that PW caught stealing food would be executed until after the above Aust soldiers had been accused.
12. That the accused carried out the execution without knowing the nature of the charge.
13. That KAWAHARA was informed that there was nothing to be worried about as it had been decided by due process and that he passed this on to the execution party.
The word Court Martial was NOT mentioned.
14. That KAWAHARA was ordered to carry out the execution on the day before the execution was carried out and that he had plenty of time to satisfy himself that everything was in order.
15. That KAWAHARA was ordered by MIJAZAKI (under sentence of death) to execute the 4 PW to bayonet the ringleader and decapitate the other three.
16. That KAWAHARA gave order to the remainder of the execution party to the same effect as above.
17. That when it was discovered that food had been stolen the camp interpreter IKEOUCHI told all PW that unless the culprits owned up the whole camp would suffer.
IKEOUCHI had said to all PW that if those responsible confessed their punishment would be light.
These 4 PW then stated that they had taken it. In conversation with WO WAALDYK RNEIF Cpl SOLOMAN said that they said this because the remainder the PW were NOT fit to take punishment.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Capt MURAKAMI Hiroshi

Aust W.C. List Ser No.....

Court, Place, Morotai
Date and 7 Feb 46
Formation: Morotai Force.

Charge(s)	Plea	Finding
Committing a war crime that is to say ill-treating a prisoner of war in that he at Kaoe Halmahera Island in the month of January 1945 ill-treated Edmond Stevenson a member of the RAAF and then a prisoner of war held by the Japanese Armed Forces, by passing an electric current through his body.	Not guilty	Guilty

Precis of Evidence: In Jan 45 Edmond Stevenson a member of the RAAF was a PW in Japanese hands. The accused was in charge of the camp and as Stevenson was the only PW held by the Japanese he was in a compound with Japanese soldiers who had committed military crimes. Whilst at a lake filling containers to carry water back to the camp, a quarrel ensued between a Japanese soldier, prisoner and the PW. They were both taken to the Orderly Room and the accused heard evidence respecting the quarrel and sentenced both men, to receive as minor punishment, an electric shock from a hand battery attached to a telephone set. The arms of the PW were made wet with water and the wires from the battery were attached to his wrists. The handle of the battery was then turned and the PW received an electric shock for about 30 seconds. The accused admitted that he meted out this form of punishment and alleged that it was not an unusual form of punishment in the Japanese Army although it was not laid down in the Japanese Army punishment code. There was no evidence to show that the PW suffered any ill effects of a permanent nature.

Sentence and Date: To be imprisoned for 6 months. 7 Feb 46.

Confirmation and by Whom: Conviction quashed by Lt-Gen V.A.H. Sturdee Acting Commander-in-Chief.

Promulgation: Non confirmation of finding and sentence promulgated to accused on 20 Apr 46.

Petition: Lodged 7 Feb 46 against finding and sentence.

J.A.G.'s Report on Petition: That the finding and sentence should not be confirmed.

Action on Petition:

Filed in Attorney-General's Department and Numbered:.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: Lt KAWAHARA, Kiyomune
Sub-Lt 1st Class UEDA, Kose
Sub-Lt 1st Class KAKINUMA, Morio
W/o YOSHIZAKI, Kyosato
P/O 3rd Class SHONO, Shoichi
P/O 2nd Class HARA, Yoshito

Court, Place, Date and Formation: Morotai, 22-23-25 Feb 46, Morotai Force.

AWC No. 1230, 1269, 1231, 1271, 1252
1213.

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
Committing a War Crime that is to say Murder of prisoners of war in that they at or near PASSO AMBON on or about 26 April 1945, murdered VX39756 Pte WADHAM T.F. of 2/21 Aust Inf Bn QX10714 Spr MORRISON J of 2/11 Fd Coy NX7039 Dvr SIMPSON R.A. of AASC and NX2116 Cpl SOLOMON J of AASC then Australian prisoners of war held by the Japanese Armed Forces.	Not guilty	Guilty

Precis of Evidence: Evidence discloses :

1. That four Aust PW mentioned above were executed at PASSO on AMBON on 26 Apr 45 for stealing food from a Japanese store.
2. That Lt KAWAHARA was in command of the execution party and that he gave the order to the members of the party for the execution. This officer who was then a 2nd Class Lt to which rank he was appointed in 1942 was later promoted to 1st Class Lt. He is 42 years of age.
3. That UEDA and KAKINUMA were both Sub Lts and are 25 and 26 years of age respectively.
4. That the first PW executed and referred to as the ringleader was bayoneted by Seamen SHONO and HARA who have each since been promoted to P.O.
5. That the second to be executed was beheaded by Sub Lt KAKINUMA.
6. That the third and fourth were beheaded by Sub Lt UEDA and WO YOSHIZAKI.

Sentence and Date:	25 Feb 46.		
	Lt KAWAHARA Kiyomune	-	Death by shooting.
	Sub Lt 1st Class UEDA Kose	-	" " "
	Sub Lt 1st Class KAKINUMA Morio	-	" " "
	W/O YOSHIZAKI Kyosato	-	12 years' imprisonment
	P/O 3rd Class SHONO Shoichi	-	15 " "
	P/O 2nd Class HARA Yoshito	-	15 " "

Confirmation and by Whom: Lt-Gen V.A.H. Sturdee - 30/4/46.

Promulgation: YOSHIZAKI 5/12/46. Others 10/5/46.

Petition: Submitted by all PW against conviction and sentence by the Court, on 28 Feb 45.

J.A.G.'s Report on Petition: That findings in all cases should NOT be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

7. That the PW came under command of 20 Garrison, a subordinate unit to 25 Naval Base Unit (4 South Seas Fleet).
8. That NO courts martial were held by 4 South Seas Fleet or 25 Naval Base Unit concerning PW at that period.
9. That Japanese law requires that sentence of death by a Japanese Court Martial should be carried out by shooting (not beheading or bayonetting).
10. That the above PW did not leave the guard house or its vicinity from time they were charged until when taken to place of execution WO YOSHIKAZI knew that this was so.
11. That PW had been warned of penalties of death for certain acts but no order was issued to them that PW caught stealing food would be executed until after the above Aust soldiers had been accused.
12. That the accused carried out the execution without knowing the nature of the charge.
13. That KAWAHARA was informed that there was nothing to be worried about as it had been decided by due process and that he passed this on to the execution party.
The word Court Martial was NOT mentioned.
14. That KAWAHARA was ordered to carry out the execution on the day before the execution was carried out and that he had plenty of time to satisfy himself that everything was in order.
15. That KAWAHARA was ordered by MIJAZAKI (under sentence of death) to execute the 4 PW to bayonet the ringleader and decapitate the other three.
16. That KAWAHARA gave order to the remainder of the execution party to the same effect as above.
17. That when it was discovered that food had been stolen the camp interpreter IKEOUCHI told all PW that unless the culprits owned up the whole camp would suffer.
IKEOUCHI had said to all PW that if those responsible confessed their punishment would be light.
These 4 PW then stated that they had taken it. In conversation with WO WAALDYK RNEIF Cpl SOLOMAN said that they said this because the remainder the PW were NOT fit to take punishment.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Cpl BABA Hidetoshi

Aust W.C. List Ser No.....

Court, Place, Date and Formation: Morotai
6 & 7 Feb 46
Morotai Force.

Charge(s)	Plea	Finding
Committing a war crime that is to say murder of a prisoner of war in that he at TOMOHON in or about the month of July or August 1945 murdered Flt/Sgt J.V. ORGILL, a member of the RAAF and then a prisoner of war held by the Japanese Armed Forces.	Not guilty	Not guilty

Precis of Evidence: 1. The evidence for the prosecution was partly verbal and partly documentary. The substance of the evidence was to the effect that an Australian aeroplane was shot down at Tomohon in about the month of July or August 1945. The crew of three were taken prisoner. Whilst under guard one of the PW seized a guard's bayonet and attempted to strike him with it. The guard attacked the PW and struck him many blows rendering him unconscious. He died at a later date. The only evidence adduced by the prosecution to identify the accused with the assault was contained in a written statement made by a Japanese named ICHIKAWA Fumiaki. This Japanese was at the time serving a term of imprisonment on a charge of desertion from the Japanese Army. He stated (inter alia) that whilst working in a garden he saw an aeroplane shot down. Later when he was in his cell he saw the accused and other Japanese bringing along a PW. He was an airman but the witness could not identify his nationality.
over)

Sentence and Date: Not guilty 7 Feb. 46.

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

2.

The accused struck the PW about 10 times with his sword scabbard. The sword was in the scabbard at the time. The other Japanese struck the PW with sticks. The PW was rendered unconscious and next morning he died.

2. The accused gave evidence in his defence. He denied striking the accused at all and alleged that he had handed the PW over to a Japanese Sgt. named KAWASE. After handing the PW over to Sgt KAWASE the PW seized one of the guard's bayonets and wounded a guard on the neck. The Sgt then struck the PW a number of blows but the accused could not say how many blows as he was a considerable distance away.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Sgt-Maj SUZUKI Hiroshi
Sgt KATSUYAMA Tsutomu

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 4 Feb 46
Formation: 8 MD

Charge(s)	Plea	Finding
1. MURDER in that they at MALIN in Oct 44 murdered SUN KING SUN a Chinese prisoner of war.	NOT GUILTY	Both Accused NOT GUILTY on both charges.
2. CANNIBALISM in that they at MALIN in Oct 44 ate portion of the dead body of SUN KING SUN a Chinese prisoner of war.		

Precis of Evidence:

1. The only verbal evidence for the prosecution was that^{of} Cpl YAN YIN CHOW. The written interrogations of both accused were also put in evidence. The witness~~s~~ alleged that on or about 23 Oct 44 he saw the accused (whom he identified) cooking some human flesh over a fire in the kitchen. The witness was convinced that it was human flesh. As soon as possible the witness went to the quarters of the deceased. The deceased was not there, but his clothes were lying in heap on the floor and the shirt had been torn down the front. The witness saw the deceased on 22 Oct 44. He was suffering from malaria but the deceased said that he would be better in a few days.
2. The defending officer submitted that there was no case to answer in connection with both charges. The Court upheld the submission respecting the charge of murder and found the accused not guilty of cannibalism.

(Over)

Sentence NOT GUILTY - 4 Mar 46
and Date:Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

7

Precis of Evidence: (contd)

No evidence was called by the defence in respect of this charge. In their interrogations both accused denied the charge of cannibalism.

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RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

AWC No.....

Aust W.C. List Ser No.....

Accused: Sgt SOMA Takesaburo

Sgt Major ICHIHASHI Shigeo

Sgt SASAKURA Rinji

Court, Place, MOROTAI

Date and 31 Jan & 1 Feb 46

Formation: Morotai Force

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME that is to say MURDER at KAKASKASEN Northern Celebes on or about 5 Mar 45 of F/O K. PACKHAM W/O D. BENSON and Sgt R.L.F. JONES all members of the RAAF and then PW held by the Japanese Armed Forces	Each accused not guilty	Each accused guilty

Precis of Evidence: 1. The evidence for the prosecution was partly verbal and partly documentary. The documentary evidence consisted of a statement in writing made by the accused SOMA and formal documentary evidence produced by a member of RAAF in relation to the deceased named in the charge. The deceased were PW in Japanese hands and on or about 5 Mar 45 they were taken individually to a place where graves had been prepared. Each PW was executed by one of the accused by beheading with the sword.

2. Each of the accused gave evidence in his defence. The accused SOMA and ICHIHASHI admitted executing two of the PW and alleged that they did so pursuant to the orders of one WO MATSUMOTO who was 2 i/c of Kempei Tai in the area. The accused SASAKURA denied that he executed a PW and alleged that on account of his late arrival at the place of execution another Japanese soldier executed the third PW.

Sentence and Date: Accused SOMA) EACH TO BE IMPRISONED FOR

" ICHIHASHI) 6 YEARS

Accused SASAKURA - TO BE IMPRISONED FOR 3 YEARS

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE Acting Commander-in-Chief

Promulgation: Confirmation of finding and sentences promulgated to each accused on 1 Apr 46

Petition: Lodged 6 Feb 46 by each accused against finding and sentence

J.A.G.'s Report on Petition: Confirm finding and sentence in respect of the accused SASAKURA. Confirm finding in the case of other accused but mitigate sentences in each case to 3 years.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

M35-185

Accused: HAYASHI Yoshinori
KITAMURA Kotaro
KIYOSHIMA Tadeo

AWC No.....

Aust W.C. List Ser No.....

Court, Place, LABUAN
Date and 30 Jan 46
Formation: 9 Aust Div

Charge(s)	Plea	Finding
ILL TREATMENT of Prisoners of War in that they at SANDAKAN British North Borneo between October 1942 and June 1945 when engaged in guarding prisoners of war at Sandakan PW Camp did frequently assault and cruelly beat many of the said prisoners of war.	All accused - NOT GUILTY	ALL ACCUSED GUILTY

Precis of Evidence:

The only evidence for the prosecution was verbal and was that of QX9538 WO STIOPEWICH W.H. The substance of the evidence of the witness was to the effect that for about 2½ years he along with other Australian prisoners of war was in Japanese hands. In about Oct 42 a body of Formosan guards took over the duties of camp guards. These guards were very cruel and on their own initiative frequently assaulted and beat prisoners of war very cruelly.

1. The accused HAYASHI was known to prisoners of war as "King the Merciless". He acquired this nickname because of the frequency and severity with which he assaulted and beat prisoners of war. The witness described the treatment meted out to prisoners of war by this accused as "cruel in the extreme". He was regularly on guard over a

(Over)

Sentence and Date: EACH ACCUSED TO BE IMPRISONED FOR 15 YEARS -- 30 Jan 46

Confirmation and by Whom: Confirmed by Acting Commander-in-Chief - Lt Gen V.A.H. Sturdee

Promulgation: Confirmation of finding and sentences promulgated to each accused on 1 Apr 46

Petition: Joint petition lodged Feb 46 by each accused against finding and sentence

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (contd):

/seen him kick another prisoner of war and Capt Daniels had

period of 18 months and there was hardly a day when he was on duty that the witness did not see this accused beating in one form or another, one or more prisoner of war. For beatings this accused made use of his rifle butt, a heavy stick or any other object he could pick up. He would usually strike prisoners of war in the kidneys or the small of the back. Prisoners of war who had committed trifling breaches of camp orders were placed in a confinement area which prisoners of war called the "cages". He would take the prisoners of war out of "the cages" ostensibly for PT and he would give them exercises so rapidly that prisoners of war were unable to keep up with him. When they could not do so he bashed them severely with a heavy stick. The witness saw the accused render prisoners of war unconscious by striking them with a stick because they did not remain perfectly still when they were ordered to stand to attention for periods up to two hours. On many occasions the accused HAYASHI struck prisoners of war on the face with his clenched fists.

2. Accused KITAMURA was another guard noted for his cruelty and he illtreated prisoners of war on the slightest pretext. This accused prided himself in the art of ju-jitsu. If he found prisoners of war indulging in such trivial things as smoking or gambling he would make them stand at attention and then he would throw them to the ground by means of ju-jitsu holds until he tired. The treatment was particularly severe on prisoners of war rendering them unable to perform normal duties for several days. If a prisoner of war when thrown to the ground did not rise quickly the accused would kick him. The witness after the capitulation interrogated this accused and the accused admitted kicking Capt Daniels an English medical officer in the testicles. He gave the reason for this action that Capt Daniels had threatened to report the accused to the Comd. On another occasion the witness observed the accused beat a Sgt named CODLIN for allegedly not saluting properly. The accused and a Japanese named KAWAKAMI thereupon struck CODLIN on the face and head with a special type of wooden bat used by some guards for beating prisoners of war. CODLIN sustained a cut lip, a black eye and his nose was made to bleed. He was beaten in this way on two other occasions on the same day and as a result CODLIN was very sick for about a week.

3. The accused KIYOSHIMA was nicknamed "Panther Tooth" because he used to sneak on unsuspecting prisoners of war at night time. This accused did not like guard duty and he indulged in excessive beating of prisoners of war mostly at night time. He invariably used a broom handle and he frequently broke them as a result of striking prisoners of war. On occasions KIYOSHIMA would walk along a parade and kick prisoners of war in the shins for not standing to attention. The witness was punished by this accused for asking for more food. He approached the witness from behind, punched him behind the ears, kicked him on the shins and smacked him on the face with his open hand.

4. The accused gave evidence in their defence. They denied the allegations of illtreatment and claimed that if any punishments were meted out to prisoners of war they were not severe and were in the nature of punishments meted out to Japanese soldiers for minor breaches of discipline. They further alleged that the witness for the prosecution had exaggerated their acts and made mistakes in identifying the accused with acts of illtreatment committed by other Japanese.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Major ODAMURA Toshitake

Aust W.C. List Ser No.....

Court, Place, Morotai
Date and 14, 15 & 16 Jan 46
Formation: 7 Aust Div.

Charge(s)	Plea	Finding
Committing a war crime to wit MURDER of prisoners of war at Tomohon in or about Feb 1945 in that he unlawfully ordered and caused to be carried out the killing of three unidentified members of the Royal Australian Air Force, all then prisoners of war held by the Japanese Armed Forces.	Not guilty	Not guilty

Precis of Evidence: The substance of the evidence for the prosecution was to the effect that a Flt Lt and two other members of the RAAF were brought to Kempei Tai at Tomohon. The accused was in charge of this Kempei Tai. By orders of one WO MATSUMOTO the three members of the RAAF were taken to the hills nearby and executed with swords. Subsequently after the cessation of hostilities the bodies were removed from the graves at or near the place of execution and re-interred in the Japanese cemetery. The accused gave evidence in his defence. He denied being present or taking any part in the executions or ordering such executions. He alleged that WO MATSUMOTO requested permission to conduct the executions but he did not approve. He then referred MATSUMOTO's request to one Lt-Col KOMURA who gave orders that MATSUMOTO was to carry out the executions. The orders of Lt-Col KOMURA to WO MATSUMOTO to carry out the executions was passed on by the accused.

Sentence and Date: Not guilty. 16 Jan 46.

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

Ans. 181

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Capt UENO Masahiko
Capt YAMAGISHI Yosaku
W/O HAYASHI Yoshitaro
S/Maj OHASHI Sotaro

AWC No. *2092, 2093, 2094, 2095*
2097, 2100, 2945
Aust W.C. List Ser No.....

Accused: L/Cpl TSUCHIDA Tomonobu
Naval Civilian SYOJI Takashi
Naval Civilian TOMIOKA Shigeo
Court, Place, RABAU
Date and Formation: 8, 9, 10 Jan 46
8MD

Charge(s)	Plea	Finding
VIOLATION OF THE LAWS AND USAGES OF WAR in that they at TARIK Island, TRUK, on or about 26 Aug 1944 did ill-treat BAERON TAMAK and TOM, natives of the Gilbert Islands and ALOYS, a native of Nauru by tying and by beating them.	All accused not guilty	Accused UENO and OHASHI both guilty of the charge with the exception of the words "by tying." Remaining accused not guilty.

Precis of Evidence: 1. The evidence for the prosecution was documentary and consisted of written statements made by the natives referred to in the charge and written reports of the interrogation of each of the accused. The substance of the evidence for the prosecution was to the effect that some rice has been stolen from a Japanese store on TARIK ISLAND. The natives named in the charge were mainly employed on Japanese farms and the airfield at PAROM and the Japanese after interrogation alleged that the native BAERON had stolen some rice and they arrested him and the other natives. The other natives denied that they took any part in the theft. They were arrested by the accused UENO and OHASHI and their wrists were tied with a rope which was thrown over a branch of a tree and pulled tightly until the natives could just touch the ground with their toes. They were beaten by the accused UENO and OHASHI with dummy swords and sticks and remained tied to the branch of the tree from about 1300 hrs 0800 hrs and during that period they were continually questioned. At 0800 hrs (over)

Sentence and Date: Accused UENO - TO BE IMPRISONED FOR 6 MONTHS
" OHASHI - " " " " 3 "

Confirmation and by Whom: *Lt-Gen V. A. H. STURDEE - 15 Apr 47*

Promulgation: *Confirmation of finding and sentences promulgated to accused on 29 Apr 47*

Petition: Petitions lodged Jan 47 by both convicted accused against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentences and dismiss petitions.

Action on Petition: *Dismissed*

Filed in Attorney-General's Department and Numbered.....

they were taken to the accused TOMIOKA and SYOJI who were the Japanese civilian Administrators responsible ~~for the~~ control of the natives on the Island. These accused conducted further investigations and administered further beatings. They also compelled the natives to remain in a standing position for 24 hours without food or water.

2. Each of the accused gave evidence in their defence. The accused YAMAGISHI HAYASHI and TSUCHIDA denied that they took any part in the ill-treatment of the natives as alleged. In regard to the other four accused the defence alleged that the punishments were lawfully imposed after proper summary investigations in accordance with the regulations made by the Japanese for the control of natives of occupied territories.

3. The defence that the accused TOMIOKA and SYOJI as being responsible for civil administration and in consequence were entitled to mete out punishment to the natives was sustained. In the case of the accused UENO and OHASHI it was contended by the prosecution that as the natives were not under their control the punishment was unlawful.

AUSTRALIAN MILITARY FORCE

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: NAGAHIRO Masao
NAKAYAMA Tamao
HIROTA Ginjiro
HIROUCHI Jiro
MIYAKE Tadao
SHOJI Shinsuke
YOSHIKAWA Tatsuhiko
FUKUSHIMA Masao
GOTO Tsuneyoshi
MATSUBA Shokichi
TAKEUCHI Yoshimitsu
KAMIMURA Shoichi
KOBAYASHI Shizuo
MATSUDA Kenji
SANADA Shigenori
SONE Takeyoshi
TAKEMOTO Isao
UMEMURA Kemburo (Not Guilty)
UTSUNOMIYA Seichi (Not Guilty)
YOKOTA Kinzo
YOSHIMURA Hideo

AWC No.....
Aust W.C.List Ser No.....

Court, Place, LABUAN
Date and 7, 8 & 9 Jan 46
Formation: 9 Aust Div

Charge(s)	Plea	Finding
MURDER in that they between SANDAKAN and RANAU British North Borneo between 29 May 1945 and 26 June 1945 murdered numerous unknown PW	Not Guilty	With the exception of accused UTSUNOMIYA and UMEMURA found not guilty, remaining accused found guilty

Precis of Evidence: In May 1945 there were some 536 British and Australian prisoners of war in a prisoner of war camp at Sandakan, British North Borneo. During April and May, the Allies were increasing the bombing on Sandakan and Allied war-ships had also appeared off the coast and were bombarding the place and the Japanese were of the opinion that an attempted landing by the Allies was imminent. Orders were given for the removal of the prisoners of war and they were sent to Ranau, 165 miles away. The track between Sandakan and Ranau was excessively bad and described by one of the witnesses as, except for the first few miles, either up to their knees in mud or so steep that they had to almost crawl up and then slide down. For the first 80 miles, the track went through uninhabited country and along the balance of the track, there were only a few native villages. The prisoners of war at the start were in a bad condition, having been underfed and many being sick with beri beri, malaria and tropical ulcers. All supplies for the journey had to be carried by the prisoners of war and the evidence showed that the food was very scanty. The prisoners of war could not stand the journey and numbers dropped out beside the track and could not proceed, and again numbers were found in the morning after the night's rest incapable of continuing the journey. A Capt Takakuwa was in charge of the move and he gave orders that the sick prisoners of war who fell out or were unable in the morning to continue the journey should be shot. The accused were all members of the guard and there was evidence to show that they had either personally shot such prisoners

of war or had been concerned in the shooting. The track over which the PW had to travel was not fit for any wheeled vehicle and was in fact extremely bad and severe even for men on foot. Evidence showed that a number of Japanese perished on the track when they moved over it. Out of the 536 PW who left SANDAKAN only 183 arrived at RANAU, the balance having been either shot or died from natural causes or a few had escaped en route and died in the jungle.

2. Each of the accused gave evidence in their defence. The substance of such evidence was either a denial that they shot any PW or that they had been requested by PW to shoot them or that they had carried out orders of superior officers in shooting PW.

Sentence and Date:	Accused	MATSUDA	-	TO BE IMPRISONED FOR 20 YEARS
	"	HIROTA)	
	"	YOSHIKAWA	)	EACH ACCUSED TO BE IMPRISONED FOR 15 YEARS
	"	FUKUSHIMA)	
	"	SONE)	
	"	SANADA	-	TO BE IMPRISONED for 14 YEARS
	"	NAGAHIRO)	
	"	NAKAYAMA)	
	"	HIROUCHI)	
	"	MIYAKE	)	EACH ACCUSED TO BE IMPRISONED
	"	GOTO	)	FOR 12 YEARS
	"	MATSUBA)	
	"	YOSHIMURA)	
	"	TAKEUCHI)	
	"	KAMIMURA	)	EACH ACCUSED TO BE IMPRISONED
	"	KOBAYASHI	)	FOR 10 YEARS
	"	TAKEMOTO	)	EACH ACCUSED TO BE IMPRISONED
	"	YOKOTA	)	FOR 9 YEARS
	"	SHOJI	-	ACCUSED TO BE IMPRISONED FOR 8 YEARS

Confirmation and by Whom: Finding and sentences confirmed by Lt-Gen V.A.H. STURDEE Acting Commander-in-Chief. 14 Mar 46.

Promulgation: Confirmation of finding and sentences promulgated to each accused on 1 Apr 46.

Petition: Joint petition lodged Jan 46 on behalf of all convicted accused against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentences and mitigate terms of imprisonment to half of those terms awarded.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

1st Lt KISHI Tadanori
2nd Lt Surgeon MUKOHATA Sodami
Cpl MORISAKI Takeichi
Cpl NAKAMURA Jisaburo
Accused: Sgt Mjr KOKUMAI Atsushi
Cpl HIRAISHI Kuniyoshi, Sgt SAKASHITA Morizo
Court, Place, RABAU
Date and 18 July 1946
Formation: 8 MD
AWC No 2758, 2755, 2749, 2763, 2753
Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR (1) at KOKOPO on or about 10 Feb 1944 ill-treated L/Naik JINDA SINGH of 7/8 Punjab Regiment an Indian prisoner of war. (2) At KOKOPO on or about 12 Feb 1944 ill-treated L/Naik JINDA SINGH of 7/8 Punjab Regiment an Indian prisoner of war.	all accused not guilty of each charge.	Accused KISHI, MUKOHATA, NAKAMURA, KOKUMAI guilty of 1st charge. Accused HIRAISHI and SAKASHITA guilty of 2nd charge.

Precis of Evidence: 1. The evidence for the prosecution consisted of a document containing written statements made by two Indians both members of the Indian Army namely UJAGAR SINGH, and JINDA SINGH and the interrogation of the accused MUKOHATA, KOKUMAI and KISHI reduced to writing and signed by them.
2. The substance of the evidence adduced by the prosecution was as follows: L/Naik JINDAR SINGH was a prisoner of war in Japanese hands and on 10 Feb 44 he was performing fatigue duty at KOKOPO Harbour New Britain. He saw some food stuff lying on the road and he wrapped it up in a cloth. He intended to eat it as rations were very small in quantity and he was hungry. He was observed by a Japanese soldier and arrested. On the order of the accused Lt KISHI he was tied with a rope to a tree, and severely beaten by MUKOHATA KOKUMAI, MORISAKI and NAKAMURA. He remained tied to the tree for 84 hours without food or water. He was, during that time, repeatedly beaten with swords and stones were thrown at him. On or about 12 Feb 44 the accused

Sentence and Date:	Accused KISHI T - TO BE IMPRISONED FOR 5 YEARS) (Over)
"	MUKOHATA S. " " " " 5 ")
"	NAKAMURA J. " " " " 3 ")
"	KOKUMAI A. " " " " 4 ")
"	HIRAISHI K. " " " " 2 ")
"	SAKASHITA M. " " " " 3 ")

18 July 1946.

Confirmation and by Whom: Findings and sentences confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of findings and sentences promulgated to be accused on 2 Jan 47

Petitions: Lodged 31 Jul 46 by each convicted accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

HIRAISHI and SAKASHITA were in a drunken condition and they beat JINDAR SINGH until he became senseless. Later the accused SAKASHITA threw stools in the face of JINDAR SINGH. On 13 Feb 44 after Indian officers had appealed to the Japanese JINDAR SINGH was released. He was unconscious for some time after and has since been unfit for military service.

3. Each of the accused gave evidence in their defence. It was generally admitted that JINDAR SINGH was tied to the tree for a lengthy period. Each of the accused denied the ill-treatment as alleged apart from certain admissions by some of the accused of slapping the said JINDAR SINGH. The accused MORISAKI alleged that he was confined to bed through illness at all material times and in this he was corroborated by some of the accused.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

2767

AWC No.....

Accused: Cpl TANAKA Zensaburo

Aust W.C. List Ser No.....

Court, Place, RABUL
Date and 15 July 46.
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR in that he at KOMORIYAMA in or about July 1945 beat Havildar Major BARHAM SINGH of 3/16 Punjab Regt an Indian prisoner of war.	Not guilty	Guilty

Precis of Evidence: The evidence submitted by the prosecution consisted of a statement in writing signed by Sepoy DIAL SINGH and the interrogation of the accused which was reduced to writing and signed by him. In substance such evidence contained the following facts. The accused repeatedly slapped Indian PW, and made them carry out fatigue duties even though they were suffering from malaria. On one occasion BARHAM SINGH was suffering from a severe attack of malaria and he was running a very high temperature. At this time he was with a fatigue party and the Indian in charge permitted him to lie in the shade of a tree. When the accused returned he asked why BARHAM SINGH was lying there and BARHAM SINGH showed him his arm. The accused then kicked BARHAM SINGH in the side and made him stand up. The accused then took a thick stick and beat BARHAM SINGH until he fell to the ground. After a short time BARHAM SINGH stood up and the accused ordered him to work. BARHAM SINGH was barely able to walk and the accused beat him again severely. (Over)

Sentence TO BE IMPRISONED FOR 2 YEARS
and Date: 15 July 1946Confirmation Finding and sentences confirmed by Lt Gen V.A.H. STURDEE
and by Whom:Promulgation: Confirmation of finding and sentences promulgated to
accused on 5 Nov 46.

Petition: Lodged 22 July 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

7

Precis of Evidence(contd).

2. The accused admitted that he knew BARHAM SINGH and that he had worked in the vegetable garden with him. He stated that BARHAM SINGH did not arrive at KOMORIYAMA until Aug 45 and that he had never kicked him or beaten him with a stick. He denied the assault as alleged. He admitted slapping Indians.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2765

Accused: Cpl TAKEDA Kazumi

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 13 & 15 July 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT OF PRISONERS OF WAR in that he in New Britain from October 1943 to May 1945 illtreated Indian Prisoners of War	NOT GUILTY	GUILTY

Precis of Evidence:

1. The evidence adduced by the prosecution consisted of written statements by Indian PW namely Sepoy SUCHA SINGH L/Naik TARA SINGH and Hav. Major BACHAN SINGH and the interrogation of the accused reduced to writing and signed by him. The substance of the evidence was as follows:- The three Indians named above were PW under the control of the accused at a camp known as MAHAR DAI. They were carrying out kitchen fatigues such as carrying water collecting fuel and other duties required of them in the kitchen. They were compelled to work long hours necessitating them having meals in the early hours of morning and long after dark. All Indians engaged in kitchen fatigues were given frequent beatings for being late for parades failing to have lines properly dressed and for many other paltry or imaginary reasons. When parades were dismissed the accused customarily struck each of the Indians with a stick. On numerous other occasions he compelled Indians suffering from Malaria to engage on heavy work. (Over)

Sentence and Date: TO BE IMPRISONED FOR 12 MONTHS - 15 JULY 1946

Confirmation Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE
and by Whom:Promulgation: Confirmation of findings & sentence promulgated to accused
on 28 Nov 46

Petition: Petition lodged 22 July 1946 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered

- 2 -

2. The accused gave evidence in his defence. He denied that he knew the Indians named in the charge but admitted that between October 1943 and May 1945 he had worked in the kitchen and had Indians under his control. Further admissions made by the accused were to the effect that he had beaten Indians. On one occasion he beat an Indian because he had a fire burning during an air raid and this was contrary to orders and after warnings had been given in this regard. On another occasion he beat an Indian because he had stolen foodstuffs.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans. 174

AWC No. 2763

Accused: Cpl NAKAMURA Jisaburo

Aust W.C. List Ser No.

Court, Place, RABAUL
Date and 10 July 46
Formation: 8th Military District

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR at NISHIHODAI on or about 8 June 1945 in that he beat Subedar SANTA SINGH of 7/8 Punjab Regiment an Indian Prisoner of War	NOT GUILTY	GUILTY

Precis of Evidence:

I. On 8 June 45 SANTA SINGH along with other Indians were PW in Japanese hands. The prosecution adduced evidence contained in a written statement made by SANTA SINGH and corroborated by RAM SINGH and DARGA SINGH. Such evidence is to the following effect. SANTA SINGH was watching a fatigue party carrying a heavy log for constructing a road. The accused came over to SANTA SINGH and asked him why there was so much smoke in the kitchen that morning. SANTA SINGH said that it was visible on account of the rain, but that the fire had been extinguished early in the morning. The accused said "You intentionally made smoke to show it to American planes". The accused then struck SANTA SINGH with an iron golf club a number of times. Next day he reported to the Japanese doctor on sick parade but the doctor would not pay any attention to him. He was then dragged back to the place where the fatigue party was working.

Sentence To be imprisoned for 2 years
and Date: 10 July 46

Confirmation Confirmed by Lt. Gen. V.A.H. STURDEE.
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated to accused
on 5 Nov 46.

Petition: Lodged 22 July 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: DISMISSED.

Filed in Attorney-General's Department and Numbered

2. The accused admitted that he struck SANTA SINGH under the following circumstances. On discovering that SANTA SINGH had left the fatigue party he found him in his quarters. The accused asked the reason he had left the fatigue party and SANTA SINGH said that on account of the small ration of food they were unable to carry out the heavy work expected of them. The accused told him the reason for the work but SANTA SINGH would not listen to him. The accused then pretended that he was going to strike SANTA SINGH and SANTA SINGH threw a stick at the accused, and the accused then struck him four or five times on the face with his open hand.

2. The accused admitted that he struck SANTA SINGH under the following circumstances. On discovering that SANTA SINGH had left the fatigue party he found him in his quarters. The accused asked the reason he had left the fatigue party and SANTA SINGH said that on account of the small ration of food they were unable to carry out the heavy work expected of them. The accused told him the reason for the work but SANTA SINGH would not listen to him. The accused then pretended that he was going to strike SANTA SINGH and SANTA SINGH threw a stick at the accused, and the accused then struck him four or five times on the face with his open hand.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2749

Accused: Cpl MORISAKI Takeichi

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 10 Jul 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR (1) at KOMORIYAMA on or about 12 May 1945 cruelly beat T7803 Sepoy SARDARA SINGH of 7/8 Punjab Regt an Indian prisoner of war	NOT GUILTY on both charges	GUILTY on first charge and NOT GUILTY on second charge.
(2) at KOMORIYAMA on or about 3 April 1945 cruelly beat UJAGAR SINGH of 7/8 Punjab Regt an Indian prisoner of war.		

Precis of Evidence:

1. The evidence for the prosecution consisted of written statements made by Sepoy SARDARA SINGH and DARSHAN SINGH both members of the Indian Army and PW in Japanese hands at KOMORIYAMA New Britain. On 12 May 45 both Indians were detailed for guard duty watching a garden. At about 0500 hours SARDARA SINGH went to fetch the meal for DARSHAN SINGH and himself. On the way he met the accused who asked SARDARA SINGH where he was going. SARDARA SINGH told the accused and the accused beat him with his rifle butt and the bayonet scabbard until the Indian fell to the ground in an unconscious condition. He regained consciousness in about half an hour. The beating was witnessed by DARSHAN SINGH.

2. On the second charge the prosecution did not produce any evidence. (over)

Sentence
and Date: TO BE IMPRISONED FOR 5 YEARS - 10 Jul 46Confirmation
and by Whom: Finding and sentence confirmed by Lt. Gen. V.A.H. STURDEE.

Promulgation: Confirmation of finding and sentence promulgated on 17 Oct 46.

Petition: Lodged 22 Jul 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

7

Precis of Evidence:

3. The accused gave evidence in his defence. He stated that he did not know either of the Indians referred to by name. He admitted having found an Indian absent from his post at the gardens and he had in his possession a bag of tapioca. This Indian accused the other Indian on guard of having given the tapioca to him. The accused, realising the Indian had stolen the foodstuff slapped him on the face two or three times. The accused denied that any Japanese guards watching the gardens carried any arms at all.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC Nos 2764, 2733, 2755, 2753

Accused: Captain KUBO Hisakichi
1/Lieut SOGAWA Kiminori
2/Lt Surgeon MUKOHATA Sodami (Not guilty)
Sgt Mjr KOKUMAI Atsushi
Court, Place, RABAU
Date and 9 & 10 Jul 46
Formation: 8 MD

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
1. (against accused KUBO only) ILL-TREATMENT at NISHIHODAI on or about 28 Jun 45 of Jemadar RANG ALI of 5/II Sikh Regt, an Indian Prisoner of War.	Not Guilty	Guilty
2. (against all accused including the accused KUBO) ILL-TREATMENT at NISHIHODAI on or about 1st & 2nd August 1945 of Subedar SANTA SINGH, an Indian Prisoner of War.	All accused not guilty	All accused guilty except MUKOHATA

Precis of Evidence: 1. The evidence adduced by the Prosecution on the first charge was contained in a written statement made by Jemadar RANG ALI and the interrogation of the accused KUBO which was reduced to writing and signed by him. Such evidence was to the following effect. RANG ALI was carrying out fatigue duty in cutting bamboos and carrying them back to the camp. Work had commenced at 0630 on 28 Jun 45 and at 1100 hrs along with other Indians he returned to the camp for the midday meal at 1200 hrs the party had fallen in and the accused was told that RANG ALI and another Indian officer had not performed their duties properly in seeing that members of the party worked sufficiently hard. The accused then beat RANG ALI and the other officer very severely.

2. In regard to the second charge the evidence adduced by the prosecution was contained in written statements made by Jemadar RANG ALI, Subedar SANTA SINGH and the interrogations of the accused reduced to writing and signed by them. On 1 Aug 45 SANTA SINGH was supervising a fatigue party attached (over)

Sentence and Date:	Accused KUBO	-	TO BE IMPRISONED FOR 6 YEARS	10 Jul 46
	" SOGAWA	-	" " " " 4	" " "
	" KOKUMAI	-	" " " " 2	" " "

Confirmation and by Whom: Finding and sentences confirmed by Lt. Gen V.A.H. STURDEE.
Promulgation: Confirmation of finding and sentences promulgated to each accused on 5 Nov 46.
Petition: Petitions lodged 22 Jul 46 by all convicted accused against findings and sentences.
J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.
Action on Petition: DISMISSED.

Filed in Attorney-General's Department and Numbered.....

Precis (continued)

to the Japanese Road Construction Department. The accused SOGAWA was in charge of the party of PW and he ordered SANTA SINGH to take a shovel and work with the party of Sepoys. SANTA SINGH refused on the ground that under International Law as an officer and a PW he could not be required to perform fatigue duty. The accused SOGAWA said he did not "care for International Law" and told SANTA SINGH to obey orders. SANTA SINGH again refused and the accused SOGAWA rushed at SANTA SINGH and struck him several blows on the neck jaws and face causing his nose and mouth to bleed. The accused again ordered SANTA SINGH to work and he again refused. The accused SOGAWA then took SANTA SINGH to the accused KUBO, the Commander of No. 20 Party PW. On hearing what had taken place he ordered that SANTA SINGH be tied to a tree for 3 days. His hands were so tightly tied that the rope caused the circulation to stop. At night he was taken before the accused along with other Indian officers and asked to sign a statement that he would obey Nipponese orders which included taking arms on behalf of the Japanese Army. SANTA SINGH again refused and he was ordered to be tied to a post outside the Japanese NCO's hut. The rope was tied around the wrists and legs of SANTA SINGH so tightly that the circulation of the blood was almost stopped causing his wrists and legs to swell. Next morning SANTA SINGH was again tied to the tree by the accused KOKUMAI and given a severe beating causing his nose and mouth to bleed. He was then taken before the accused SOGAWA and KUBO but he again refused to sign the paper. The accused then ordered that SANTA SINGH should be tied to a tree where Japanese soldiers passed frequently. He was tied to the tree and remained from about 0730 hrs until about 1600 hrs. During that time he was repeatedly struck and kicked by Japanese soldiers. SANTA SINGH was very weakened in health as a result of this ill-treatment and some Indians advised him to sign the paper. He was then taken before MUKOHATA and SOGAWA the accused - MUKOHATA said "Bugger, if you do not sign the paper now we will shoot you tonight". Fearing this threat he signed the document and was released. As he was in a very poor state of health he sought admission to hospital but was refused and made to perform fatigue duty.

3. Each of the accused gave evidence in their defence. In regard to the first charge the accused KUBO stated that the statement of RANG ALI was entirely untrue.

4. In regard to the second charge the accused KUBO contended that the statement of SANTA SINGH was greatly exaggerated. He said there was an occasion when SANTA SINGH was insolent and the accused SOGAWA slapped him. SANTA SINGH became angry and the accused KUBO ordered that he be tied to a tree until he became calmer. Later SANTA SINGH signed an apology. The accused SOGAWA in evidence admitted that he became very angry as a result of the attitude of the Indian when asked to work along with other Indians. SANTA SINGH came towards the accused SOGAWA with a stick and the accused slapped him on the face. The accused further admitted that as a result of this incident the accused KUBO ordered the accused SOGAWA to be tied to a tree in front of the office. SOGAWA denied that he was guilty of cruelty in the manner in which SANTA SINGH was tied up. The accused KOKUMAI denied having tied up or beaten SANTA SINGH. He admitted that in accordance with orders he kept SANTA SINGH in the NCO's room until he repented.

AUSTRALIAN MILITARY FORCES

AAF A117(a)
(Introduced Jan 46)
HQ AMP Use Only

+ DPW(AG13(2a)) /WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R140 171

AWC No. 2245

Accused: S/M SHIMADA Kazuyoshi

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 26 June 46
Formation: 8th Military District

Charge(s)	Plea	Finding
MURDER at PAROM in NEW GUINEA in July 1944 murdered Sepoy DALIP SINGH and Sepoy UJAGAR SINGH.	Not guilty	Guilty

Precis of Evidence:

1. The evidence for the prosecution consisted of a statement by NK BARA SINGH which contained (inter alia) the following facts :- The deceased were PW in Japanese hands and in July 44 they were detailed as night sick attendants to Japanese Lt KUSAKARI who was confined to his hut suffering from dysentery and malaria. The deceased were required to sit outside KUSAKARI's hut and attend to his requirements during the night. At about 0600 hrs on the morning following the deceased entered the hut of BARA SINGH. They were in pain and they "entered the hut with great physical difficulty." They stated that a Sgt KAMINAKA had entered KUSAKARI's hut in the early hours of the morning and found that he (KUSAKARI) had died. Sgt KAMINAKA then called the accused and a Japanese Cpl named NITANI and the three Japanese beat them with large sticks. BARA SINGH's statement further showed that both the deceased were seriously injured and they were (Over)

Sentence and Date: TO BE IMPRISONED FOR 15 YEARS

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE.

Promulgation: Confirmation of finding and sentence promulgated to accused on 17 Oct 46.

Petition: Petition lodged 8 July 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

unable to leave their hut again. The deceased UJAGAR SINGH died 4 days later and DALIP SINGH died 4 or 5 days later. The statement further disclosed that both the deceased were in fairly good health prior to the beating by the three Japanese, and that the beatings were considered to be the cause of their deaths.

2. The accused denied that he had been in any way connected with the alleged murder. He stated that he was a member of 2nd Platoon whereas Lt KUSAKARI was the leader of No 2 Platoon. His duty did not take him into KUSAKARI's quarters and he in fact had never entered his hut. All attention to Lt KUSAKARI would be given to him by members of his own platoon. He remembered the date of death of Lt KUSAKARI and at that time he was confined to his bed suffering from malaria. Cpl NITANI was also in bed at that time. He was suffering from colitis. The accused said that it was impossible for either of them to leave their beds. The defence alleged that either the statement by BARA SINGH was false or that the identity of the accused had been mistaken. Lt HIGASHI Yoshiaki gave evidence for the defence. This witness, in the main corroborated the evidence of the accused, and stated that he was sure that the accused had been mistaken for two other Japanese who were very like the accused both in appearance and voice.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....2099.....

Accused: Civilian TOKUNAGA Masayoshi

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 25 & 26 June 1946
Formation: 8 MD

Charge(s)	Plea	Finding
VIOLATION OF THE LAWS AND USAGES OF WAR at TRUK in June 44 in that he illtreated IKA a Nauruan displaced to TRUK by kicking, punching and beating him with a stick	Not Guilty	Guilty

Precis of Evidence: The said IKA was a Nauruan and was employed by the Japanese looking after cattle. The prosecution relied on the evidence of IKA AS contained in a written statement made by him and the interrogation of the accused reduced to writing and signed by him. The statement made by IKA contained the following facts. On a night in June 44 the air-raïd alarm was sounded. There was a shelter close to IKA's house and IKA's family including his daughter EDUA and her girl friend sought shelter. IKA remained at the front of his house and heard some of his children say they were not allowed to enter and that only EDUA and her girl friend were allowed in. IKA went to the shelter and enquired the reason. He called his daughter out and two Japanese, one of them, the accused, came out. The Japanese came out and said that a Nauruan boy told them they could have the girls and asked IKA why he was objecting. IKA told the Japanese that he did not know why the Nauruan boy should say that and immediately he received a punch on the neck from one of the (P.T.O.)

Sentence and Date: To be imprisoned for 12 months. 26 Jun. 46.

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 17 Oct 46.

Petition: Petition lodged 6 July 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss the petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2099

Accused: Civilian TOKUNAGA Masayoshi

Aust W.C. List Ser No.

Court, Place, Rabaul

Date and 25 & 26 June 1946

Formation: 8 MD

Charge(s)	Plea	Finding
VIOLATION OF THE LAWS AND USAGES OF WAR at TRUK in June 44 in that he illtreated IKA a Nauruan displaced to TRUK by kicking, punching and beating him with a stick	Not Guilty	Guilty

Precis of Evidence: The said IKA was a Nauruan and was employed by the Japanese looking after cattle. The prosecution relied on the evidence of IKA AS contained in a written statement made by him and the interrogation of the accused reduced to writing and signed by him. The statement made by IKA contained the following facts. On a night in June 44 the air-raid alarm was sounded. There was a shelter close to IKA's house and IKA's family including his daughter EDUA and her girl friend sought shelter. IKA remained at the front of his house and heard some of his children say they were not allowed to enter and that only EDUA and her girl friend were allowed in. IKA went to the shelter and enquired the reason. He called his daughter out and two Japanese, one of them, the accused, came out. The Japanese came out and said that a Nauruan boy told them they could have the girls and asked IKA why he was objecting. IKA told the Japanese that he did not know why the Nauruan boy should say that and immediately he received a punch on the neck from one of the

(P.T.O.)

Sentence and Date: To be imprisoned for 12 months. 26 Jun. 46.

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 17 Oct 46.

Petition: Petition lodged 6 July 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss the petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

Japanese and the other struck him on the back three times with a stick. IT was then arranged by one of the Nauruan women without Japanese knowing that the two girls should go with the Japanese until they came to the bush and then they were to run away from them. This was arranged as it was feared that the Japanese might kill IKA. The girls went with the Japanese and about 15 minutes later the Japanese returned to IKA's house and one of them struck IKA with a stick and the other punched him. IKA decided to report the matter to a Japanese officer and he commenced to walk towards the office. The Japanese caught hold of IKA and took him back to his house. On the way they continued to punch him, kick him and strike him with a stick. IKA stated that he knew the accused, who was one of the men who assaulted him, as he had worked under him. He did not know the name of the other Japanese.

2. The accused admitted knowing IKA and the daughter EDUA but alleged that at the time of the assault he was in hospital suffering from an ulcer on the liver. He considered that IKA might have had a grudge against him because he discussed such matters as distribution of food to Nauruans with a Nauruan with whom IKA was not friendly.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No. 2728

Accused: Cpl TADA Masaichi

Aust W.C. List Ser No.

Court, Place, RABOUL
Date and 25 June 1946
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at KOKOPO in NEW BRITAIN in Feb 44 of NKADAL KHAN <u>Alternatively</u> Ill-TREATMENT of a Prisoner of War in that he at KOKOPO in NEW BRITAIN in Feb 44 illtreated Indian PW NK ADAL KHAN a PW by cruelly kicking him.	Not Guilty on both charges	Guilty on first charge and not guilty on alternative charge.

Precis of Evidence:

- The evidence for the prosecution consisted of a written statement made by Gnr KHODA DAD and written interrogation of the accused dated 23 Feb 46 and 18 Jun 46 respectively. The deceased was a PW in Japanese hands. Early in the morning of 14 Feb 44 the accused took KHODA DAD and other Indian PW to a garden for fatigue duty. The deceased was very sick and on arrival at the garden KHODA DAD saw that the accused was dragging the deceased along and brought him over to KHODA DAD. The accused ordered the deceased to commence digging the ground but the deceased was too weak to do so. The accused kicked the deceased until he fell to the ground and while he was on the ground the accused continued to kick the deceased on the chest. The deceased was bleeding from the mouth and the accused ordered KHODA DAD to take the deceased to the barracks. The deceased remained in the barracks and at times he was bleeding from the mouth. The accused would

Sentence and Date: TO SUFFER DEATH BY HANGING - 25 June 46

Confirmation and by Whom: Lt-Gen. V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 17 Oct 46. Accused executed at Rabaul on 18 Oct 46.

Petition: Lodged 6 July 46 against finding and sentence

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

not permit any medical treatment being given to the deceased.
The deceased died on 28 Feb 44.

2. The accused gave evidence in his defence. He admitted having the Indians under his control at the relevant time, but denied having beaten the Indian as alleged and claimed it was a case of mistaken identity. He alleged that in Feb 44 he was in charge of 26 Indians and that in March 44 an Indian died as a result of an air raid.

Two Japanese Captains gave evidence for the defence. One of these witnesses stated that the deceased was employed in the platoon under his command. The accused was not on strength of his platoon. The deceased had been employed in a potato garden about 10 miles away from KOKOPO. A Japanese death certificate was put in evidence showing that one AHDEL HAN died on 29 Feb 44 of enteritis. It also showed that the date the illness commenced as 2 Feb 44.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

1124 Ans 167

AWC No. 2601

Accused: Cpl YAMADA Saburo

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 20 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR at THORIRU on 10 May 45 ill-treated Gnr MIAN MOHD, a prisoner of war by cruelly beating him and forcing him to hold a log above his head for about half an hour.	Not Guilty	Guilty

Precis of Evidence: The evidence of the prosecution consisting of proceedings of a Court of Inquiry which contained statements by Gnrs MIAN MOHD, CHULAM QASAN and JEM AHMED KHAN and also a certificate of identification with photograph attached. The substance of the documentary evidence as contained in the statements made by MIAN MOHD and CHULAM QASAN is as follows. On 10 May 45 MIAN MOHD, a member of the Indian Army, was employed by the Japanese (in whose hands he was a PW) in collecting and carrying grass for the erection of barracks at THORIRU Camp, New Britain. He was suffering from Malaria and was unable to carry heavy loads and the accused who was supervising the work became very annoyed and beat MIAN MOHD with a stick for about half an hour. The accused then took MIAN MOHD to his house and compelled him to hold a log above his head with his arms fully stretched upwards. When his arms became tired he dropped the log and the accused then struck him on the head with the sharp edge of the blade of a large knife causing a deep wound. The accused struck him again with the blunt edge of the knife on the hand (PTO)

Sentence and Date: To be imprisoned for 4 years. 20 Jun 46.

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Lodged 28 June 1946 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss the petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

Precis of Evidence: (contd)

causing his thumb to be dislocated. As a result of the head injury, MIAN MOHD became unconscious. Later the wound was dressed by the said JEM AHMED KHAN and it healed in about 2 months. A permanent scar remained and the dislocated thumb was evident by the thickening around the joint. The statement by JEM AHMED KHAN shows that MIAN MOHD was brought into the PW lines with a wound on the centre of his head about 3 inches in length and the wound was bleeding. His left thumb was swollen and dislocated. AHMED KHAN dressed the wound healed in about 2 months.

2. The accused gave evidence in his defence and denied all knowledge of the charge. He denied the evidence contained in the statements produced by the prosecution. He stated that on or about 10 May 45 he was stationed at KABAIRA and he denied all knowledge of a place called THORIRU and alleged that he did not know the said MIAN MOHD. The defence called a witness named Sgt/Maj. NAOMI. He stated in evidence that he was at TAURIL around the 10 May 45 and that the witness AHMED KHAN was there also. He also stated that the accused at this time was not at THORIRU but was around the southern part of NISHIZAKI YAMA.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)B133
AWC No. 2601

Accused: Cpl YAMADA Saburo

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 20 June 46
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT of a prisoner of war at THORIRU on 10 May 45 ill-treated Gnr MIAN MOHD, a prisoner of war by cruelly beating him and forcing him to hold a log above his head for about half an hour.	Not guilty	Guilty

Precis of Evidence: The evidence of the prosecution consisted of proceedings of a Court of Inquiry which contained statements by Gnrs MIAN MOHD, CHULAN QASAN and JEM AHMED KHAN and also a certificate of identification with photograph attached. The substance of the documentary evidence as contained in the statements made by MIAN MOHD and CHULAN QASAN is as follows. On 10 May 45 MIAN MOHD, a member of the Indian Army, was employed by the Japanese (in whose hands he was a PW) in collecting and carrying grass for the erection of barracks at THORIRU Camp, New Britain. He was suffering from malaria and was unable to carry heavy loads and the accused who was supervising the work became very annoyed and beat MIAN MOHD with a stick for about half an hour. The accused then took MIAN MOHD to his house and compelled him to hold a log above his head with his arms fully stretched upwards. When his arms became tired he dropped the log and the accused then struck him on the head with the sharp edge of the blade of a large knife causing a deep wound. The accused (PTO)

Sentence and Date: To be imprisoned for 4 years. 20 Jun 46.

Confirmation and by Whom: Lt-Gen V.A.H. Sturdee. Chief of the General Staff

Promulgation: 9 Oct 46.

Petition: Petition lodged against finding and sentence 28 Jun 46.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

struck him again with the blunt edge of the knife on the hand causing his thumb to be dislocated. As a result of the head injury, MIAN MOHD became unconscious. Later the wound was dressed by the said JEM AHMED KHAN and it healed in about 2 months. A permanent scar remained and the dislocated thumb was evident by the thickening around the joint. The statement by JEM AHMED KHAN shows that MIAN MOHD was brought into the PW lines with a wound on the centre of his head about 3 inches in length and the wound was bleeding. His left thumb was swollen and dislocated. AHMED KHAN dressed the wound and treated the thumb. The wound healed in about 2 months.

2. The accused gave evidence in his defence and denied all knowledge of the charge. He denied the evidence contained in the statements produced by the prosecution. He stated that on or about 10 May 45 he was stationed at KABAIRA and he denied all knowledge of a place called THORIRU and alleged that he did not know the said MIAN MOHD. The defence called a witness named Sgt/Maj. NAOMI. He stated in evidence that he was at TAURIL around the 10 May 45 and that the witness AHMED KHAN was there also. He also stated that the accused at this time was not at THORIRU but was around the southern part of NISHIZAKA YAMA.

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2245

Accused: Sgt/Major SHIMADA Kazuyoshi

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 18 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER near KURRINGE in New Guinea on or about 5 Jan 45 murdered Sepoy CHEL ^A RAM.	Not Guilty	Guilty

Precis of Evidence: The evidence of the prosecution consisted of a written statement made by Sepoy SHINGARA RAM and the interrogation of the accused reduced to writing and signed by him. The statement of SHINGARA RAM contained the following facts. At about 0600 hrs on 5 Jan 45 SHINGARA RAM was present when 2/Lt SHIGASHI ordered the deceased to cut grass. The deceased was suffering from fever, beri-beri and malnutrition and asked to be excused from work. The accused and another Japanese soldier L/Cpl HARDA (HADA) struck the deceased and they both dragged him to a nearby river. The deceased was made to stand in about 3 feet of water and a Pte KODAKA who was also present shot him in the back of his head with his revolver. The deceased collapsed in the water and his body was carried away by the stream. The deceased was not seen again. SHINGARA RAM was present and witnessed all these events from a short distance.

(See over for remainder of precis)

Sentence and Date: To be imprisoned for 10 years. 18 June 46.

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDIE.

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Lodged 1 Jul 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

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2. The accused denied all association with the crime. He contended that his duties were those of shooting birds for food and he had no dealings with Indians. He stated that he did not know the deceased and that the only weapon held by the platoon of which he was a member, was a rifle. No revolver was held by any member of the platoon. The evidence of the accused was corroborated by two witnesses who in addition stated that the deceased whilst fording the stream to collect foodstuffs had fallen into a deep hole and been carried away by the stream and that the body had not been recovered.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2667

Accused: Cpl UENO Shin

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 17 Jun 1946
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR in that he near RABAU about Feb 1943 illtreated L/Cpl WONG KEN CHONG a prisoner of war	NOT GUILTY	GUILTY

Precis of Evidence:

1. Evidence for the prosecution was given by L/Cpl WONG KEN CHONG and Sgt CHIANG SAI CHOW. Both witnesses were members of the Chinese Army and were PW in Japanese hands. The substance of the evidence adduced by the prosecution was to the effect that on 5 Feb 43 WONG KEN CHONG was employed in carrying bags of foodstuff and the accused called him to hurry. The bags were torn and the contents were falling out. The accused then commenced to punch WONG KEN CHONG with his clenched fists and to kick him. He fell to the ground and the accused picked up a stick and struck him numerous blows on the legs and buttocks, and kicked him about ten times. The accused was wearing Japanese leather boots. The stick used for the beating was about five feet in length and about two inches thick. As a result of the assault WONG KEN CHONG was unable to work for three weeks. During this time he did not receive any medical treatment. (Over)

Sentence and Date: TO BE IMPRISONED FOR 2 YEARS - 17 June 46

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Lodged 28 Jun 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

2. The accused in evidence denied that he had assaulted WONG KEN CHONG as alleged and stated that he had never assaulted or illtreated Chinese. He stated that at the time in question there were no Chinese working for him. The defence called a witness, L/Cpl KANAI, who corroborated the evidence of the accused.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans. 252

AWC No. *2962*

Accused: **Naval CAPT. KAWASAKI Matsuhel.**

Aust W.C. List Ser No.....

Court, Place, **NABAIL**
Date and **17 and 18th. of June 1947.**
Formation: **8 MILITARY DISTRICT.**

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME that is to say MURDER in that he on or about 30 April 1945 at ANSON murdered VX19415 Pte. P.N. SCHAEFER of 2/21 Aust Inf Bn an Australian Prisoner of War.	NOT GUILTY.	GUILTY.

Precis of Evidence: The evidence against the accused was in the main documentary, consisting mostly of certified extracts taken from previous war crimes trials, whilst verbal evidence was given by Capt. SHIROBU, Wadani, Sub.Lt. MIYAZAKI Yoshio, Rear Admiral OKADA Tanetsugu, Interpreter IKENOCHI Masakiyo, and P.O. KUROKAWA Eliso, to prove their statements, which were used by the prosecution.
The substance of the evidence for the prosecution was to the effect that the accused was senior staff officer on the HQ of 25 Naval Base force and was responsible for the passing of orders concerning Prisoners of War to the staff officer in charge of Prisoners of War. Whilst in this position he is alleged to have issued an instruction to Capt. SHIROBU, (commander of 20 Naval Garrison Unit, who was in command of the Prisoners of War at GALALA), to execute VX19415 Pte. P.N. SCHAEFER an Australian Prisoner of War who had escaped from GALALA Prisoner of War Camp, ANSON on or about 25 Mar 45, and was recaptured on 10 April 45. (P.P.O.)

Sentence and Date: **To be imprisoned for 10 years.**

Confirmation and by Whom: *Maj Gen W. M. Anderson Adjutant General AMF 7/8/47*

Promulgation: *Promulgated to the accused on the 25/8/47.*

Petition: **Petition lodged on the 30 June 47., against the finding and sentence.**

J.A.G.'s Report on Petition: **Confirm finding and sentence and dismiss petition.**

Action on Petition: *Dismissed 7/8/47.*

Filed in Attorney-General's Department and Numbered.....

Continuation of Evidence. Capt. SHIROZU Wadami then ordered Lt. MIYAZAKI Yoshio to arrange for the carrying out of the execution. The Prisoner of War was beheaded on the 30 April 45, by one P.O. KUROKAWA Hise, a member of Lt. MIYAZAKI Yoshio's command. Evidence was also produced by the prosecution to prove that no Court Martial had been held in respect of the Prisoner of War named in the charge and that the execution as ordered by Capt. KAWASAKI Matsuei was the punishment for his escape. The accused gave evidence in his defence and also made a statement saying that the order for the execution had been given to him by Rear Admiral OKADA and he had passed it on to Capt. SHIROZU Wadami, whom he expected to carry out the proper legal steps. He also stated that no report as to the date or place of SCHAFER's execution had reached him up until the time that he left ANDON.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Qno. 218

AWC No. 2962

Accused: Capt KAWASAKI Matsuhei

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 30 June, 1, 3, 4 July 47
Formation: 8 MILITARY DISTRICT

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME that is to say MURDER in that he on or about 16 Aug 44 murdered S/Ldr J.L. SCOTT, P/SGT R.N. KING, P/SGT B.E. WALLACE and P/SGT R.C. WRIGHT Australian Prisoners of War.	Not Guilty	Not Guilty

Precis of Evidence: The evidence for the prosecution was in the main documentary whilst verbal evidence was given by Interpreter IKBUCHI Masakiyo, Sub Lt KATAYAMA Hideo, and Sub Lt TAKAHASHI Toyoji to prove their statements. The substance of the evidence submitted by the prosecution was to the effect that the accused was a senior staff officer on the HQ of the 4 South Sea Fleet, and that as such he was responsible for the passing of orders concerning P.W. to the staff officer in charge of P.W. The prosecution alleged that on 27 March 44 an RAAF HUDSON was shot down by the Japanese and the crew were captured and became P.W. The P.W. were interrogated by Interpreter IKBUCHI concerning their firing upon unarmed civilians, but they were not tried by Court Martial in respect of this incident. It was alleged that on or about 15 Aug 44 the accused called before him Sub Lt MIYAZAKI, Sub Lt KATAYAMA and Sub Lt TAKAHASHI, and ordered them to execute the 4 P.W. mentioned in charge. This order was conveyed by Lt MIYAZAKI to WO UEMURA Shigeo who was in charge of GALALA P.W. camp at which the P.W. named were confined. On or about 16 (over)

Sentence
and Date:Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.

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Aug 44 the four P.W. named in charge were taken by truck to a spot near the P.W. camp and were beheaded by Lt KATAYAMA, Lt TAKAHASHI, Ensign NISHIDA and some other ranks under the command of WO UEMURA.

The accused gave evidence in his defence and denied that he had anything to do with the execution and that at the date mentioned in the charge he was attending a conference which was held at MANILA and did not arrive back at AMBON until the 18 Aug. He also stated that he had not received any interrogation report, although he knew that Comd Baron TAKASAKI had interrogated the PW which were at this time confined in the court martial area.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Aus. 251

AWC No. 2952

Accused: Nav Civ SOJI Hideo

Aust W.C. List Ser No.

Court, Place, Date and Formation: Rabaul
10 Jun 47
8 Military District.

Charge(s)	Plea	Finding
Committing a war crime that is to say a violation of the laws and usages of war in that he at Tarik Island Truk on 28 Aug 44 ill-treated Ruben Foliage, Maria Foliage, Rudolf Harris and Albert Harris, natives of Nauru displaced to Truk.	Not guilty	Guilty

Precis of Evidence: The evidence for the prosecution was in the main documentary whilst verbal evidence was given by Sgt SAKAMOTO Takeharu and Nav Civ ANETAI Soji. It was alleged by the prosecution that the four Nauruans named in the charge had been taken to Truk by the Japanese in Aug 43. Whilst at Truk they had been interrogated by Japanese under the command of the Sgt of the Military Police named Sgt SAKAMOTO in respect of charges of being in possession of a wireless set, and pistols. During the course of this interrogation the four Nauruans had been beaten about the head and body with swords and sticks by the accused and members of the investigation party. After a period of approx 15 days they were all released and allowed to return to their homes. The accused gave evidence in his defence and denied that he had beaten any of the NAURUANS mentioned in the charge, although he admitted having beaten a Trukese that is not mentioned in the charge.

Sentence and Date: 18 months ' imprisonment.

Confirmation and by Whom: Maj Gen W.M. ANDERSON Adj Gen A.M.F. 18/8/47

Promulgation: Promulgated to the accused on 2-9-47.

Petition: Lodged on 21 Jun 47 against the finding of the Court.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss the petition.

Action on Petition: Dismissed 18/8/47

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans 250

AWC No. 2913

Accused: Capt ITO Shigeo

Aust W.C. List Ser No.

Court, Place, Date and Formation:
Rabaul
23 May 47
8 MD.

Charge(s)

Plea

Finding

VIOLATION OF THE LAWS AND USAGES OF WAR in that he at Soemba Island between 27 Apr 45 and 16 May 45 did ill-treat F/Lt Ronald Thomas ROBERTSON, WO Thomas BONNICE, F/Sgt Desmond MALONEY, F/Sgt Bernard William McINTERNEY, F/Lt Lyndon Lloyd MCKENZIE, F/Lt Ernest Radcliffe OLDFIELD, F/O Peter STUART SYKES, Sgt Lloyd Francis MEDWIN, & other members of the RAAF.	Not guilty	Not guilty
Alternatively :- VIOLATION OF THE LAWS & USAGES OF WAR in that he at Soemba Island between 27 Apr 45 & 16 May 45 did permit personnel under his command to ill-treat F/Lt Ronald Thomas ROBERTSON, WO Thomas BONNICE, F/Sgt Desmond MALONEY, F/Sgt Bernard William McINTERNEY, F/Lt Lyndon Lloyd MCKENZIE, F/Lt Ernest Radcliffe OLDFIELD, F/O Peter SYKES, Sgt Lloyd Francis MEDWIN & other members of the RAAF.	Not guilty	Guilty

Precis of Evidence:

The evidence for the prosecution was entirely documentary, consisting of sworn statements by some of the members of the crew. The substance of the evidence was to the effect that on 27 Apr 45 a RAAF bomber crashed off the island of SOEMBA. The members of the aircrew were captured by personnel of the accused's unit. It was alleged by the prosecution that after they were captured the crew of the plane were ill-treated by members of the accused's command by being thrown about by a juditsu expert being beaten and by being tightly bound, and when one of the prisoners asked that his bonds be loosened, the accused laughed and ordered a soldier to tighten them. Evidence was also given that whilst at the accused's HQ the prisoners were interrogated, during which time they were prevented from obtaining sufficient sleep, were not given enough food and were frequently subjected to beatings. The accused gave evidence in his defence & denied that neither he nor members of his command had ill-treated the PW whilst they were under his control.

Sentence and Date: To be imprisoned for 2 years.

Confirmation and by Whom: Maj Gen W.M. ANDERSON Adj Gen A.M.F 18/5/47

Promulgation: Promulgated to the accused on 2-9-47.

Petition: Lodged on 5 Jun 47 against the finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed 18/8/47

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 249

Accused: **Lt. UCHIYAMA Kishio**
S/M FUKUDA Mitsugu

Court, Place, **SINGAPORE**
Date and **18, 22, 23, 24, 29 April 47.**
Formation: **1 Aust War Crimes Sec.**

AWC No.....

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that they on the high seas, between 4 Jul 44 and 8 Sep 44 on a voyage from SINGAPORE to MOJI (JAPAN) aboard the s.s. "RASHIN MARU" as officer in charge and non commissioned officer second in charge respectively of a draft of Allied Prisoners of War for whose well being they were responsible were in violation of the laws and usages of war together concerned in the inhumane treatment of the said Prisoners of War thereby contributing to the deaths of some and causing physical and mental suffering to others of the said Prisoners of War.	NOT GUILTY. (in each case).	GUILTY with the exception of the words from "thereby contributing" trend of charge, and substituting the words "thereby contributing to the physical and mental suffering of the said Prisoners of War".

Precis of Evidence: Verbal evidence was given by P/Lt J.H. Wilkinson to prove sworn statements made by both the accused, whilst the remainder of the evidence for the prosecution consisted of sworn affidavits. The substance of the evidence was to the effect that the accused were in charge of a draft of 1050 Allied Prisoners of War which embarked on s.s. "RASHIN MARU" in SINGAPORE on or about the 1 July 44. It was alledged by the prosecution that as Lt. UCHIYAMA was ships Commandant for the voyage, he was responsible for the well being and safety of all persons aboard the ship with the exception of the ships crew. The ship sailed from Singapore on the 4 July 44 and arrived at MOJI in Japan on the 7 Sept 44. During the course of the voyage the Prisoners of War were subjected to overcrowding in the holds of the ship, inadequate food and medical supplies, lack of hygiene and sanitation and repeated lashings by the Korean Guards with the knowledge of both the accused. It was also alledged that the Prisoners of War

Sentence and Date: **Lt. UCHIYAMA Kishio to be imprisoned for 6 years.**
S/M FUKUDA Mitsugu to be imprisoned for 3 years 6 months.

Confirmation and by Whom: *Maj Gen W.M. ANDERSON Adj Gen. A.M.F. 27/6/47.*

Promulgation: *Promulgated to the accused on the 8/9/47*

Petition: **Petition dated 12 May 1947 lodged against the findings and sentences.**

J.A.G.'s Report on Petition: **Confirm findings and sentences and dismiss petition**
Recommends mitigation of sentences.

Action on Petition: *Dismissed 27/6/47*

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans 249

Accused: **Lt. UCHIYAMA Kishio**
S/M FUKUDA Mitsugu

AWC No.....

Aust W.C. List Ser No.....

Court, Place, **SINGAPORE**
Date and **18, 22, 23, 24, 29 April 47.**
Formation: **1 Aust War Crimes Sec.**

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that they on the high seas, between 4 Jul 44 and 8 Sep 44 on a voyage from SINGAPORE to MOJI (JAPAN) aboard the s.s. "RASHIN MARU" as officer in charge and non commissioned officer second in charge respectively of a draft of Allied Prisoners of War for whose well being they were responsible were in violation of the laws and usages of war together concerned in the inhumane treatment of the said Prisoners of War thereby contributing to the deaths of some and causing physical and mental suffering to others of the said Prisoners of War.	NOT GUILTY. (in each case).	GUILTY with the exception of the words from "thereby contributing" trend of charge, and substituting the words "thereby contributing to the physical and mental suffering of the said Prisoners of War".

Precis of Evidence: Verbal evidence was given by P/Lt J.H. Wilkinson to prove sworn statements made by both the accused, whilst the remainder of the evidence for the prosecution consisted of sworn affidavits. The substance of the evidence was to the effect that the accused were in charge of a draft of 1050 Allied Prisoners of War which embarked on s.s. "RASHIN MARU" in SINGAPORE on or about the 1 July 44. It was alledged by the prosecution that as Lt. UCHIYAMA was ships Commandant for the voyage, he was responsible for the well being and safety of all persons aboard the ship with the exception of the ships crew. The ship sailed from Singapore on the 4 July 44 and arrived at MOJI in Japan on the 7 Sept 44. During the course of the voyage the Prisoners of War were subjected to overcrowding in the holds of the ship, inadequate food and medical supplies, lack of hygiene and sanitation and repeated lashings by the Korean Guards with the knowledge of both the accused. It was also alledged that the Prisoners of War P.T.O.

Sentence and Date: **Lt. UCHIYAMA Kishio to be imprisoned for 6 years.**
S/M FUKUDA Mitsugu to be imprisoned for 3 years 6 months.

Confirmation and by Whom: *Maj Gen W.M. ANDERSON Adj Gen. A.M.F 27/6/47.*

Promulgation: *Promulgated to the accused on the 8/9/47*

Petition: **Petition dated 12 May 1947 lodged against the findings and sentences.**

J.A.G.'s Report on Petition: **Confirm findings and sentences and dismiss petition**
Recommends mitigation of sentences.

Action on Petition: *Dismissed 27/6/47*

Filed in Attorney-General's Department and Numbered.....

EVIDENCE CONTINUED. embarked at Singapore in a fit physical condition, but owing to the illtreatment that they had received during the voyage they disembarked at KOJI (JAPAN) in a very poor physical condition.

The accused in their defence gave evidence on oath and stated that the unsatisfactory conditions on the ship were beyond their responsibility, and that it was the responsibility of the Anchorage Command at the port of embarkation to arrange these things and whilst at sea it was the responsibility of the Captain of the ship. They also denied any knowledge of the alleged physical illtreatment of the Prisoners of War by the Korean Guards.

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EVIDENCE CONTINUED. embarked at Singapore in a fit physical condition, but owing to the illtreatment that they had received during the voyage they disembarked at HOJI (JAPAN) in a very poor physical condition.

The accused in their defence gave evidence on oath and stated that the unsatisfactory conditions on the ship were beyond their responsibility, and that it was the responsibility of the Anchorage Command at the port of embarkation to arrange these things and whilst at sea it was the responsibility of the Captain of the ship. They also denied any knowledge of the alledged physical illtreatment of the Prisoners of War by the Korean Guards.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)*Clua 2nd*

AWC No.....

Accused: **Korean Guard HIROMURA Kakurai**

Aust W.C. List Ser No.....

Court, Place, **SINGAPORE**
Date and **18 and 20 March 47**
Formation: **1 Aust War Crimes Sec (PARALF)**

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that he at HINTOK SIAM in and between the months of March and August 1943 in violation of the laws and usages of war, when in the service of the Imperial Japanese Army and concerned in the supervision and administration of prisoners of war, inhumanely treated prisoners of war.	NOT GUILTY	GUILTY with the exception of the words "in and"

Precis of Evidence:

The evidence of the prosecution was entirely documentary consisting mostly of statements from ex-Prisoners of War. The substance of the evidence was to the effect that the accused was stationed at HINTOK Prisoner of War Camp SIAM between March and August 1943, and during part of this time he occupied the position of Camp Commandant. It was alleged that during the said period the prisoners of war lived under the most appalling conditions, shelter and accommodation were totally inadequate and most primitive. They were also denied sufficient food, medical supplies, clothing, and footwear. During most of the said period the prisoners of war were forced to perform heavy manual labour on the railway line for which they were totally unfit by reason of their physical and medical condition. They were continually beaten and assaulted by the camp staff and the guards. (contd).

Sentence
and Date:**DEATH BY HANGING**Confirmation
and by Whom:*Maj Gen W. M. Anderson A.G. A.M.F. 24/10/47.
Sentence commuted to 20 YEARS imprisonment.*

Promulgation:

Promulgated to the accused on the 7/11/47.

Petition:

Petition lodged by the accused on 1 Apr 47 against the finding and sentence.

J.A.G.'s Report on Petition:

Finding and sentence may be confirmed and suggests that the sentence be mitigated to imprisonment for a long period.

Action on Petition:

Dismissed

Filed in Attorney-General's Department and Numbered.....

Preds of Evidence (contd)

Sick and diseased prisoners of war were forced by the accused to go out on working parties despite the protests of prisoner of war medical officers, as a result of this treatment sickness and disease among the prisoners of war became rife and by the end of April 43 2% of the camp strength were in hospital. It was also alleged by the prosecution that out of 800 Australian prisoners of war who went into the camp over 100 of them died there, and that the accused was responsible for their death.

The accused gave evidence in his defense, and denied all the allegations made by the prosecution and this was substantiated by Col ISHII a Colonel in the Japanese Army.

Precis of Evidence (contd)

Sick and diseased prisoners of war were forced by the accused to go out on working parties despite the protests of prisoner of war medical officers, as a result of this treatment sickness and disease among the prisoners of war became rife and by the end of April 43 25% of the camp strength were in hospital. It was also alleged by the prosecution that out of 800 Australian prisoners of war who went into the camp over 100 of them died there, and that the accused was responsible for their death.

The accused gave evidence in his defence, and denied all the allegations made by the prosecution and this was substantiated by Col ISHII a Colonel in the Japanese Army.

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Precis of Evidence (contd)

Sick and diseased prisoners of war were forced by the accused to go out on working parties despite the protests of prisoner of war medical officers, as a result of this treatment sickness and disease among the prisoners of war became rife and by the end of April 43 25% of the camp strength were in hospital. It was also alleged by the prosecution that out of 800 Australian prisoners of war who went into the camp over 100 of them died there, and that the accused was responsible for their death.

The accused gave evidence in his defence, and denied all the allegations made by the prosecution and this was substantiated by Col ISHI a Colonel in the Japanese Army.

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Precls of Evidence (contd.)

Sick and diseased prisoners of war were forced by the accused to go out on working parties despite the protests of prisoner of war medical officers, as a result of this treatment sickness and disease among the prisoners of war became rife and by the end of April 43 2% of the camp strength were in hospital. It was also alleged by the prosecution that out of 800 Australian prisoners of war who went into the camp over 100 of them died there, and that the accused was responsible for their death.

The accused gave evidence in his defence, and denied all the allegations made by the prosecution and this was substantiated by Col ISHII a Colonel in the Japanese Army.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans-245

AWC No.....

Accused: **Capt SUZUKI Shozo**

Aust W.C. List Ser No.....

Court, Place, Date and Formation: **Singapore 24 & 26 Feb 47
1 Aust War Crimes Sec.**

Charge(s)

Plea

Finding

Committing a war crime in that he at Batavia Java in and between the months of April and September 1942 while concerned in the administration and supervision of PW inhumanely treated such PW.

Not
guilty

Guilty of the charge except for the word "Sept" the word "Aug" should be substituted.

Precis of Evidence:

1. The evidence for the prosecution was documentary and consisted of nine affidavits made by former members of the AIF who were PW in Japanese hands. The substance of the evidence contained in such affidavits was to the following effect. The accused was the Comd of Bicycle PW Camp Batavia, Java, from Apr to Aug 42 and that during that time PW were not supplied with adequate accommodation and quarters, food, clothing, footwear or medical supplies. On numerous occasions many of the said PW were brutally and viciously attacked by guards in the said camp on the slightest pretext and in many instances for no reason at all. On 4 Jul 42 the accused personally ordered and participated in the beating, torture and kicking of four Australian officers for many hours for their refusal to sign an oath requiring them to obey implicitly all orders of the Imperial Japanese Army.

2. The accused gave evidence in his defence. He alleged that he did all in his power to improve the accommodation and quartering of PW and that

(P.T.O.)

Sentence
and Date:

To be imprisoned for ten years. 26 Feb 47.

Confirmation
and by Whom:

Maj Gen W. McAnderson Adj Gen A.M.F. 22/5/47

Promulgation:

Promulgated to the accused on 13/6/47

Petition:

No Petition lodged by Accused

J.A.G.'s Report ~~on Petition~~

Confirm finding but suggests that sentence should be mitigated to imprisonment for 5 years.

Action on Petition: —

Filed in Attorney-General's Department and Numbered.....

food supplies were issued according to the ration scale provided for members of the Japanese Army. He further alleged that he was unable to supply adequately clothing, footwear and medical supplies as there was a shortage of same in Java at that time. He stated that he made every effort to obtain increased supplies. He denied the allegations that he ordered, participated or witnessed the ill-treatment of four Australian officers and further alleged that he did not hear of or see any acts of ill-treatment of PW by guards under his command.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Aus. 2444

AWC No.....

Accused: **L/Cpl NAKANISHI Jirohei**

Aust W.C. List Ser No.....

Court, Place, **Singapore**
Date and **10, 11, 12, 13, 14 and 17 Feb 47.**
Formation: **1 Aust War Crimes Sec.**

Charge(s)

Plea

Finding

COMMITTING A WAR CRIME in that he
at NIKKI in SIAM in or about the
months of July and August 1945 in
violation of the laws and usages of war
when concerned in the care and supervis-
ion of PWs inhumanely treated the said
PWs.

Not
guilt

Guilty

Precis of Evidence:

1. The evidence for the prosecution was partly verbal and partly documentary. The verbal evidence was given by Mr. A.R. ADDISON (formerly WX12039 Pte ADDISON, R.A. 3 MG Bn) and the documentary evidence consisted of a number of affidavits made by ex PW and also a written statement made by the accused. The substance of the evidence for the prosecution was as follows: In about the months of July and August at Niki PW Camp in Siam about 500 PW consisting of English, Australian and Dutch soldiers were held by the Japanese. The accused who was known to PW by the nickname "Snake Eyes" was a Japanese Guard and an NCO in charge of working parties. On 17 July 45 at about 1200 hours a party of five or six PW were assembled in a tool shed. In this party there was one Englishman and one Dutchman and the remainder were Australians. The party was collecting tools preparatory to going out to erect a fence in which to keep cattle. The accused then said something to the PW in Japanese but he was not understood. When he realized that nobody understood him he lost his

(P.T.O.)

Sentence **To be imprisoned for life. 17 Feb 47.**
and Date:

Confirmation

and by Whom: *May Gen W. M. Anderson Adj Gen A.M.F. 22/5/47.*

Promulgation:

Promulgated to the accused on 13/6/47

Petition:

Petition lodged Feb 47 on behalf of the accused against finding and sentence.J.A.G.'s Report on Petition: **Confirm finding and sentence and dismiss petition.**

Action on Petition:

Dismissed 22/5/47.

Filed in Attorney-General's Department and Numbered.....

temper. The accused had in his hand a steel hammer and in a frenzy he proceeded to strike PW indiscriminately with the hammer. The hammer weighed about two pounds. The accused hit an Australian, Pte. A. Stephenson of 2/2 Pnr Bn, four times on the head and the last blow rendered Pte Stephenson unconscious. Notwithstanding this fact he continued to strike the other PW. The party was then dismissed for lunch and the remaining PW carried Pte Stephenson to his quarters. He regained consciousness for a very brief period on the following day and slipped into unconsciousness, again. He died in the afternoon of that day. He was given some medical aid by an Australian medical orderly which only amounted to making the PW comfortable as no medical necessities were available. Pte Stephenson was not rendered any medical attention by the Japanese. The burial of Pte. Stephenson was carried out by PW on the day of his death. The accused was identified by the verbal evidence of the witness ADDISON and by means of photographs exhibited to affidavits put in evidence on behalf of the prosecution.

2. The accused gave evidence in his defence and four Japanese gave evidence on his behalf. The defence relied in the main on an alibi. The accused alleged that at the relevant time and place when the incident (the main subject of the charge) occurred he was not in the camp as he was suffering from an attack of malaria.

temper. The accused had in his hand a steel hammer and in a frenzy he proceeded to strike PW indiscriminately with the hammer. The hammer weighed about two pounds. The accused hit an Australian, Pte. A. Stephenson of 2/2 Pnr Bn, four times on the head and the last blow rendered Pte Stephenson unconscious. Notwithstanding this fact he continued to strike the other PW. The party was then dismissed for lunch and the remaining PW carried Pte Stephenson to his quarters. He regained consciousness for a very brief period on the following day and slipped into unconsciousness, again. He died in the afternoon of that day. He was given some medical aid by an Australian medical orderly which only amounted to making the PW comfortable as no medical necessities were available. Pte Stephenson was not rendered any medical attention by the Japanese. The burial of Pte. Stephenson was carried out by PW on the day of his death. The accused was identified by the verbal evidence of the witness ADDISON and by means of photographs exhibited to affidavits put in evidence on behalf of the prosecution.

2. The accused gave evidence in his defence and four Japanese gave evidence on his behalf. The defence relied in the main on an alibi. The accused alleged that at the relevant time and place when the incident (the main subject of the charge) occurred he was not in the camp as he was suffering from an attack of malaria.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)*Ans. 240*

AWC No.....

Accused: Korean Guard HAYASHI Eishun

Aust W.C. List Ser No.....

Court, Place, Singapore
Date and 25 Jun 46
Formation:

Charge(s)	Plea	Finding
VIOLATION OF THE LAWS AND USAGES OF WAR in that at 131 Kilo Camp Niki, Siam about 23 Dec 43 inhumanely treated a prisoner of war namely VX21192 L/Sgt L.E. Whitfield, AIF, by violently kicking him in the abdomen as a result of which he died at 134 Kilo Camp Siam on or about 4 Jan 44.	Not guilty	Guilty with the exception of the words "134 Kilo Camp Siam".

Precis of Evidence: 1. The said L/Sgt Whitfield along with a number of other Australians were prisoners of war in the hands of Japanese at Niki at a Camp known as 131 Kilo Camp on the Burma-Siam Railway. In Dec 43 L/Sgt Whitfield was in hospital suffering from amoebic dysentery and was discharged from hospital on 20 Dec 43. On the evening of 23 Dec 43 L/Sgt Whitfield was sitting in a hut with some other Australian NCO's drinking a cup of tea. The hut was dimly illuminated with one or more candles and the accused entered unnoticed by L/Sgt Whitfield. It appeared the eyesight of L/Sgt Whitfield had been affected by his illness and he failed to stand up and bow to the accused as required by camp orders. The accused approached L/Sgt Whitfield and shouted at him in Japanese and L/Sgt Whitfield immediately stood up and bowed to the accused. The accused without any justification or provocation kicked L/Sgt Whitfield in the region of the stomach causing him to fall to the ground in great pain. One witness alleged that the kicking

Sentence
and Date: To suffer death by hanging. 25 Jun. 46.Confirmation
and by Whom: Retrial

Promulgation:

Petition: Petition lodged Jul 46 against finding and sentence.

J.A.G.'s Report on Petition: That the finding and sentence should not be confirmed.

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

7

in the stomach caused bleeding from the bladder and the bowels and brought about the death of L/Sgt Whitfield on 4 Jan 44.

2. The accused gave evidence in his defence. He denied the assault as alleged by the prosecution but admitted slapping L/Sgt Whitfield on the face with his open hand but that the blows were not very hard. The defence also put in evidence an affidavit by one Dr. Sydney KRANTZ which contained certain hearsay evidence to the effect that L/Sgt Whitfield had been shot. The circumstances under which this affidavit was put in evidence by the defence is fully dealt with by the J.A.G. in his opinion and advice.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: **Korean Guard KANESHIRO Masao**

Aust W.C. List Ser No.....

Court, Place, **31 Mar & 2 Apr 47**
Date and **Singapore**
Formation: **1 Aust War Crimes Sec**

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that he at 105 Kilo Camp at AUNGGANUANG BURMA in and between the months of Aug 43 and Jan 44 in the violation of the laws and usages of war when concerned in the supervision and administration of Prisoners of War inhumanely treated prisoners of war.	Not Guilty	Guilty of the charge with the exception of the words "in and"

Precis of Evidence: 1. The evidence for the prosecution was solely documentary and consisted of ten affidavits sworn by former PW, a sworn statement made by the accused and sworn statements made by two other Japanese. The affidavits contained evidence of numerous assaults beatings and tortures of Australian PW committed by the accused at 105 Kilo Camp at AUNGGANUANG, Burma between the dates mentioned in the charge. The accused was known to PW by the nickname of "the Bull" and identification of the accused was effected by photographs exhibited to five of the affidavits. In particular evidence was given of beating kicking and torturing an Australian PW namely WX.8188 Spr ILES, A.N. of 2/6 Fd Pk Coy at 105 Kilo Camp in Dec 1943. As a result of this ill-treatment Spr ILES died at 105 Kilo Camp on or about 4 Jan 44.

2. The accused gave evidence in his defence and ^{denied} ~~admitted~~ the allegations contained in the evidence of the prosecution. He admitted that in Aug 43 he slapped a PW across the face for being lazy at his work. He further

Sentence
and Date: **TO BE IMPRISONED FOR LIFE. 2 Apr 47**Confirmation
and by Whom: *Maj Gen W.C. Anderson Adj Gen A.M.F. 27/6/47.*Promulgation: *Promulgated to the accused on the 25-7-47.*Petition: **Lodged April 47 against finding and sentence.**J.A.G.'s Report on Petition: **Confirm finding and sentence and dismiss petition.**Action on Petition: *Dismissed 24/6/47*

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: **Korean Guard KANESHIRO Masao**

Aust W.C. List Ser No.....

Court, Place, **31 Mar & 2 Apr 47**
Date and **Singapore**
Formation: **1 Aust War Crimes Sec**

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that he at 105 Kilo Camp at AUNGGANUANG BURMA in and between the months of Aug 43 and Jan 44 in the violation of the laws and usages of war when concerned in the supervision and administration of Prisoners of War inhumanely treated prisoners of war.	Not Guilty	Guilty of the charge with the exception of the words "in and"

Precis of Evidence: 1. The evidence for the prosecution was solely documentary and consisted of ten affidavits sworn by former PW, a sworn statement made by the accused and sworn statements made by two other Japanese. The affidavits contained evidence of numerous assaults beatings and tortures of Australian PW committed by the accused at 105 Kilo Camp at AUNGGANUANG, Burma between the dates mentioned in the charge. The accused was known to PW by the nickname of "the Bull" and identification of the accused was effected by photographs exhibited to five of the affidavits. In particular evidence was given of beating kicking and torturing an Australian PW namely WX.8188 Spr ILES, A.N. of 2/6 Fd Pk Coy at 105 Kilo Camp in Dec 1943. As a result of this ill-treatment Spr ILES died at 105 Kilo Camp on or about 4 Jan 44.

2. The accused gave evidence in his defence and ^{denied} ~~admitted~~ the allegations contained in the evidence of the prosecution. He admitted that in Aug 43 he slapped a PW across the face for being lazy at his work. He further

Sentence
and Date: **TO BE IMPRISONED FOR LIFE. 2 Apr 47**Confirmation
and by Whom: *Maj Gen W. G. Anderson Adj Gen A.M.F. 27/6/47.*Promulgation: *Promulgated to the accused on the 25-7-47.*Petition: **Lodged April 47 against finding and sentence.**J.A.G.'s Report on Petition: **Confirm finding and sentence and dismiss petition.**Action on Petition: *Dismissed 27/6/47*

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: **Korean Guard KANESHIRO Masao**

Aust W.C. List Ser No.....

Court, Place, **31 Mar & 2 Apr 47**
Date and **Singapore**
Formation: **1 Aust War Crimes Sec**

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that he at 105 Kilo Camp at AUNGGANUANG BURMA in and between the months of Aug 43 and Jan 44 in the violation of the laws and usages of war when concerned in the supervision and administration of Prisoners of War inhumanely treated prisoners of war.	Not Guilty	Guilty of the charge with the exception of the words "in and"

Precis of Evidence: 1. The evidence for the prosecution was solely documentary and consisted of ten affidavits sworn by former PW, a sworn statement made by the accused and sworn statements made by two other Japanese. The affidavits contained evidence of numerous assaults beatings and tortures of Australian PW committed by the accused at 105 Kilo Camp at AUNGGANUANG, Burma between the dates mentioned in the charge. The accused was known to PW by the nickname of "the Bull" and identification of the accused was effected by photographs exhibited to five of the affidavits. In particular evidence was given of beating kicking and torturing an Australian PW namely WX.8188 Spr ILES, A.N. of 2/6 Fd Pk Coy at 105 Kilo Camp in Dec 1943. As a result of this ill-treatment Spr ILES died at 105 Kilo Camp on or about 4 Jan 44.

2. The accused gave evidence in his defence and ^{denied} ~~admitted~~ the allegations contained in the evidence of the prosecution. He admitted that in Aug 43 he slapped a PW across the face for being lazy at his work. He further

Sentence
and Date: **TO BE IMPRISONED FOR LIFE. 2 Apr 47**Confirmation
and by Whom: *Major Gen W.C.B. Anderson Adj Gen A.M.F. 27/6/47*Promulgation: *Promulgated to the accused on the 25-7-47*Petition: **Lodged April 47 against finding and sentence.**J.A.G.'s Report on Petition: **Confirm finding and sentence and dismiss petition.**Action on Petition: *Dismissed 27/6/47*

Filed in Attorney-General's Department and Numbered.....

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Precis (continued)

denied that he was known to PW as "the Bull" and that he was serving in the Camp at the time it was alleged that Spr Iles was beaten. He contended that if such beating occurred as described by the prosecution then he had been mistaken for some other Korean Guard in the Camp.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

A-34

AWC No.

Accused: **L/Cpl KIYOTO Yusa**

Aust W.C. List Ser No.

Court, Place, **Singapore 3 & 17 Mar 47**
Date and **1 Aust War Crimes Sec.**
Formation:

Charge(s)

Plea

Finding

COMMITTING A WAR CRIME in that he at Nacomchassai, Siam in and between the months of May and August 1945 in violation of the laws and usages of war while in the service of the Imperial Japanese Army and concerned in the supervision of prisoners of war inhumanely treated prisoners of war.

Not
guilty

Guilty of the charge with the exception of the word "May" for which should be substituted the word "July".

Precis of Evidence: 1. The evidence for the prosecution was documentary and consisted of War Crimes Questionnaire Forms, affidavits and a statement in writing made by the accused. The substance of the evidence was to the effect that during the period of July to August 1945 the accused was a member of 2nd Coy 3rd Engineering Regt of the Japanese Army. He was stationed at NACOMCHASSAI Prisoner of War Camp in SIAM. At the relevant times the accused performed duty as a guard and NCO in charge of PW working parties. The evidence showed that the accused brutally and viciously assaulted, beat and ill-treated PW in his charge and supervision, often for no apparent reason and some times on the slightest pretext. He struck PW with his fists, pieces of wood and the butt of his rifle and he kicked them with heavy Japanese boots which he was wearing at the time. The assaults and beatings caused bodily injuries, damage to health and physical suffering to many PW. 2. The accused gave evidence on his own behalf and (PTO)

Sentence
and Date: **To be imprisoned for 7 years.**Confirmation
and by Whom: *Maj Gen W. Mc. Anderson Adj Gen A.M.F. 27/6/47*Promulgation: *Confirmation of the finding and sentence promulgated to the accused on the 17/6/47.*Petition: **Lodged March 47 against finding and sentence.**J.A.G.'s Report on Petition: **Confirm finding and sentence and dismiss petition.**Action on Petition: *Dismissed 27/6/47*

Filed in Attorney-General's Department and Numbered.....

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admitted slapping PW for eating certain foodstuffs which had not been inspected. As to all the allegations his defence thereto was a general denial. The defence called two witnesses and both of these witnesses stated that they had never seen the accused striking PW as alleged by the prosecution.

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RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Run 229

AWC No.....

Accused: Capt NOMURA Fumio

Aust W.C. List Ser No.....

Court, Place, Singapore 30 Oct 46
Date and 1 Aust War Crimes Sec..
Formation:

Charge(s)	Plea	Finding
Committing a war crime in that he at Kaorin Camp in Siam between the 20th day of Sep 44 and the 15th day of Mar 45 in violation of the laws and usages of war when concerned in the administration of a group of Australians and other prisoners of war, inhumanely treated many of the said prisoners of war resulting in severe physical suffering to them.	Not guilty	Guilty

Precis of Evidence: 1. The evidence for the prosecution was documentary and consisted of affidavits by ex PW and a written statement made by the accused. The accused was in charge of a group of Australian and other PW at Kaorin Camp in Siam at all relevant times. In Nov 44 an Allied air raid was made on one of the Kanburi dumps about a mile away from the camp. A Japanese interpreter under the command of the accused reported to the accused that one of the Australians had said after the raid had passed "Come again". The accused then made the Australians stand at a position of attention for about an hour. That night the accused entered the PW hut and he was in a drunken condition. He ordered all PW out of bed apparently with the intention of finding the man who expressed the wish that the Allied planes would "Come again". The accused staggered up and down the lines asking the men individually if he were the culprit. He struck a Lt. named Mackenzie on the jaw with his clenched fists and hit other PW with

(PTO)

Sentence and Date: To be imprisoned for five years. 3 Oct 46.

Confirmation and by Whom: Maj-Gen L.H. Cox, GOC Singapore District. 30 Oct 46.

Promulgation: Confirmation of finding and sentence promulgated to accused on 28 Oct 46

Petition: - *No petition lodged.*

J.A.G.'s Report on Petition: -

Action on Petition: -

Filed in Attorney-General's Department and Numbered.....

his fists or a piece of wood and finally with a torch. A Pte. Tonken had his teeth broken and other men were thrown to the floor by means of ju-jitsu holds. Many of the men assaulted were suffering from malaria. On another occasion some three or four men were beaten. They were made to lie on the ground and flogged by the accused and a guard. Witnesses described the screams of the men whilst being flogged as terrifying. The effect of this beating caused extensive bruising and pain and in the case of one PW he suffered ~~fr~~ pain for about five weeks. He was sent to hospital and even whilst an inmate he was sent out to work. The prosecution also adduced evidence to the effect that sick PW from the hospital were made to work round the camp. There was also evidence of other individual acts of ill-treatment.

2. The accused gave evidence in his defence. He denied all the allegations of ill-treatment as alleged by the prosecution.

The accused admitted going into the PW hut on the night of an air raid, with the PW Camp Comd Capt Rennie. He stated that he questioned the prisoners as to who had said "Come again". The attitude of two PW was "very bad" and he "pushed them down".

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: L/Cpl KAGA Zenshi

Aust W.C. List Ser No.....

Court, Place, SINGAPORE
Date and 28 June 1946
Formation: 1 Aust War Crimes Section

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that he on or about 15 May 1945 at RAJBURI in SIAM when engaged in the guarding and supervising of prisoners of war in the power of the Japanese Government in violation of the laws and usages of war did assault and cruelly beat VX56772 Gnr IKIN L.L. a member of the AIF thereby causing him bodily injury.	NOT GUILTY	GUILTY

Precis of Evidence:

The evidence for the prosecution was documentary and consisted of an affidavit sworn by Gnr IKIN 'Q' Form completed by him and three sworn statements made by the accused. The substance of the evidence was to the effect that Gnr IKIN was a member of a party of Australian prisoners of war on loan to a company of Japanese Engineers located on a river Island at the village of RAJBURI THAILAND. The Australian prisoners of war were engaged on ferry work. On the 15 May 45 Gnr IKIN was accused of conversing with a native. This was against Camp Regulations and without giving Gnr IKIN an opportunity to explain the accused removed his belt and flogged him on the head and face, for about 8 minutes. The accused in evidence admitted beating Gnr Ikin but denied the allegation regarding the severity of such beating. He alleged it was a punishment permitted by his Platoon commander and the few blows struck with the belt were on the back and were meant as punishment and not to hurt.

Sentence

and Date: TO BE IMPRISONED FOR 3 YEARS - 28 June 46

Confirmation Maj-Gen L.H. COX, GOC Singapore District.
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated to accused on 28 July 46.

Petition: No petition lodged

J.A.G.'s Report on Petition: -

Action on Petition: -

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 219

AWC No. **2213**

Accused: **Lt IMAMURA, Kazuhiko**

Aust W.C. List Ser No.

Court, Place, **RABAU**
Date and **25 Jul 47**
Formation: **8th Military District**

Charge(s)	Plea	Finding
As per attached Appendix		

Precis of Evidence: The evidence for the prosecution was documentary consisting of 2 statements made by Subedar CHINT SINGH an Indian Prisoner of War. The substance of the evidence was to the effect that the accused was responsible for the employment of Indian Prisoners of War and that as such he on numerous occasions used these PW for the unloading of ammunition, aeroplanes, petrol and other military equipment from the Japanese ships that stopped at WEWAK. The prosecution alleged that the accused used numbers of the Indian PW in the construction and repair work of a Japanese airstrip at WEWAK, which was subjected to bombing by Allied planes on many occasions, and that during these bombing raids the PW were not provided with sufficient shelter for their safety. It was also alleged by the prosecution that the accused had ill-treated the Indian Prisoners of War by making them work long hours with very little food and sleep, and beating the PW mentioned in the charge, and that he was also responsible for the withholding of medical supplies. (see over)

Sentence and Date: **To be imprisoned for 12 months**

Confirmation and by Whom: **Confirmed by Brig. E.M. NEYLAN Commandant 8 MD on 30 Jul 47**

Promulgation: **Confirmation of finding and sentence promulgated to the accused on 31 Jul 47**

Petition: —

J.A.G.'s Report on Petition: —

Action on Petition: —

Filed in Attorney-General's Department and Numbered

Precis (continued)

The accused gave evidence in his defence and admitted he had used Indian Soldiers for the unloading of war supplies; he also stated that the Indian Soldiers were not Prisoners of War, but Prisoners of War who were released on parole and who had engaged in service with the Japanese Army; he denied that he had used Indian PW on airfield construction work, or that he had ever beaten any of the Indian prisoners of war mentioned in the charges.

APPENDIX to
RECORD OF MILITARY COURT
Lt IMAMURA Kazuhiko
LIST OF CHARGES

Charge(s)	Plea	Finding
<u>FIRST CHARGE</u>		
3 < COMMITTING A WAR CRIME that is to say EMPLOYMENT OF PRISONERS OF WAR ON UNAUTHORIZED WORK in that he at WEWAK between the months of May and December 1943, on numerous occasions employed Indian Prisoners of War in the transport of arms and munitions. >	Not Guilty	Guilty
<u>SECOND CHARGE</u>		
COMMITTING A WAR CRIME that is to say ILLTREATMENT OF PRISONERS OF WAR in that he at WEWAK in or about the month of June 1943 ILLTREATED Jemadar JAI SINGH, Havildar TANTI RAM, and Sepoy PARTIP SINGH, Indian Prisoners of War, by beating them with a cane.	Not Guilty	Not Guilty
<u>THIRD CHARGE</u>		
COMMITTING A WAR CRIME that is to say ILLTREATMENT OF PRISONERS OF WAR in that he at WEWAK in or about the month of June 1943 illtreated a number of unidentified Indian Prisoners of War by beating them.	Not Guilty	Not Guilty
<u>FOURTH CHARGE</u>		
< COMMITTING A WAR CRIME that is to say EMPLOYMENT OF PRISONERS OF WAR ON UNAUTHORIZED WORK in that he at WEWAK on 2 Dec 1943 employed Havildar SALAMUD DIN an Indian Prisoner of War and other Indian Prisoners of War on dangerous work, namely the digging of drains on an airstrip at WEWAK which was subject to aerial bombardment without making adequate provisions for the safety of such Prisoners of War. >	Not Guilty	Guilty
<u>FIFTH CHARGE</u>		
COMMITTING A WAR CRIME that is to say ILLTREATMENT OF A PRISONER OF WAR in that he at RAINBOA in or about the month of December 1944 illtreated Sepoy NATHU RAM an Indian Prisoner of War by beating him with a stick.	Not Guilty	Not Guilty

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Rm *Ans. 209*

AWC No.....

Accused: Sgt Maj MATSUMURA Tadashi

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 25 Jun 46
Formation: 8MD

Charge(s)	Plea	Finding
MURDER in that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Sepoy NARJAIL SINGH.	Not guilty	Not guilty.

Precis of Evidence: The evidence adduced by the Prosecution was documentary and consisted of a statement made by one NK BARA SINGH. The substance of the statement was as follows:- In July 44 the deceased NARJAIL SINGH was constructing wooden steps and owing to weakness he was not carrying out the work to the satisfaction of the Japanese Guards. Cpl MATSUMURA instructed BARA SINGH to order the deceased to work harder but the deceased was unable to do so. Two Japanese named in the statement as Sgt KAMINAKA assisted by Cpl MATSUMURA beat the deceased with large sticks. The deceased was carried back to his quarters and as a result of the severity of the beating he died 4 or 5 days later. The accused gave evidence in his defence. He denied striking the deceased and alleged that as an orderly clerk he did not have control of any Indians. A witness for the defence named KAMINAKA Tsunejiro alleged that he and another Japanese had struck an Indian on an occasion when the Indian had refused to work and made an attack on KAMINAKA with a log. This Japanese was assisted by

(over)

Sentence and Date: Not guilty - 25 June 46.

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

7

- 2 -

another Japanese in quietening the Indian. It was alleged that BARA SINGH was probably mistaking this incident for the one alleged by him.

DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans. 240

AWC No.....

Accused: Sgt Maj OKAWA Hakuei

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 8 July 46
Formation: 8MD

Charge(s)	Plea	Finding
ILL TREATMENT OF PRISONERS OF WAR in that he at KOMORIYAMA on or about April 1945 cruelly beat 17633 Sepoy MOHD SARWAR and 20914 Sepoy NUR ILLAHI, Indian prisoners of war.	Not Guilty	Not Guilty

Precis of Evidence: 1. The evidence for the prosecution was documentary and consisted of written statements made by the two Indians named in the charge and Subedar MOWAZ KHAN and Sepoy MOHD ANWAR. The substance of the evidence contained in the statements was as follows :- The accused (named in the statements as Japanese Naik OKAWA) ordered MOHD SARWAR & NUR ILLAHI to take the latrine contents and spread it in the gardens. The accused was told that this was a job carried out by "sweepers" and both Indians refused to perform the task. The accused and another Japanese L/Naik KOSAKI, became angry and proceeded to beat the Indians without mercy. They received serious injuries and were unable to perform duties for some time thereafter. The interrogation of the accused which was reduced to writing was put in evidence. He admitted having given orders to carry out latrine contents but said it was not the practice to use it as garden manure. He denied that he knew either of the two (over

Sentence
and Date: NOT GUILTY - 8 July 46

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

Indians. The defending Officer submitted to the Court that there was no case to answer as the person named in the statements was not identified in any way with the accused named in the charge. The Court upheld the submission of the Defending Officer and found the accused Not Guilty of the charge.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2753

Accused: Sgt Major KOKUMAI Atsushi

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 8 Jul 46
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT of a prisoner of war in that he at Nishihodai on or about 15 Jul 45 cruelly beat Jemadar Rang Ali an Indian prisoner of war.	Not guilty	Guilty

Precis of Evidence: The evidence for the prosecution was documentary and consisted of two statements made by Rang Ali and Gurhun Singh. It was alleged therein that certain cooking utensils were taken away from a party of Indian prisoners of war. Rang Ali complained that they were given insufficient food and that the utensils were necessary to cook additional food which they collected. The accused stated that Rang Ali was lying and beat him with a shovel. He sustained an injury above his right eye as well as on other parts of the body. The accused gave evidence in his defence. He denied ill-treatment as alleged but admitted that he slapped an Indian named ALAM for lighting a fire and cooking food. This was contrary to an order given as fires attracted enemy aeroplanes.

Sentence
and Date:

To be imprisoned for 12 months. 8 Jul 46.

Confirmation
and by Whom:

Finding and sentence confirmed by Commandant 8th Military District.

Promulgation:

Finding and sentence as confirmed promulgated to accused on 31 Jul 46.

Petition:

Not applicable

J.A.G.'s Report on Petition: Not applicable

Action on Petition: Not applicable

Us Department and Numbered.

to report the incident. The foreman was not there and as they were returning, the two accused caught hold of the natives and tied their hands behind their backs. They were taken back to the foreman's house where they were beaten by the accused. They reported this to the foreman. The accused then tied the natives to a tree close to the house and the natives were whipped. The deceased received most of the blows on his shoulders and back. REYISI was released and the deceased was taken to the beach and both his legs were tied. He was then pushed over and he fell on the sand. One of the accused commenced beating the deceased with a stick and two other accused kicked him. One of the other accused ~~jumped~~ jumped to the foreman's office and returned. He struck a match lighting something which he threw at the deceased but it landed in the water and exploded. Later the deceased was taken back to his house. There was a large wound on his shoulder, another just above the right kidney and there were also several other small wounds on other parts of his body. The deceased said that an explosive had been tied to his back and ignited. He was very ill and could barely walk. Each morning the accused OUMBA came and beat the deceased for not going to work. The deceased died a few days after the original assault.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans. 213

AWC No. 2959

Accused: Lieut-Gen KATO Rinpei

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 28, 29 April 47
Formation: SMD

Charge(s)	Plea	Finding
Committing a War crime that is to say a violation of the laws and usages of war in that he between November 1942 and September 1945 in New Guinea, New Britain and other Islands within the area of command of 8 Japanese Army Group while a member of the armed forces of Japan at war with the Commonwealth of Australia and its Allies unlawfully employed prisoners of war on work having a direct connection with Japanese Military operations.	Not Guilty	Not Guilty

Precis of Evidence: The evidence for the prosecution was in the main, documentary, whilst verbal evidence was given by Subedar CHINT SINGH who was former Indian prisoner of war. The documentary evidence that was produced by the prosecution was evidence which had been used in previous individual war crimes trials at Rabaul. The substance of the evidence was to the effect that during the period Nov 1942 to Sept 45 the accused unlawfully employed prisoners of war on work which had a direct connection with the operations of the Japanese Army. A sworn statement of the accused, which had been used in a previous war crimes trial at Rabaul, was produced by the prosecution to show that the accused had issued an order relating to the employment of Indians and Indonesians by the Japanese armed forces. Evidence was also produced to prove that the persons referred to in the accused's aforesaid order were at all material times prisoners of war in the hands of the Japanese. Subedar CHINT SINGH gave evidence to the effect

P.T.O.

Sentence
and Date: NOT GUILTY 29 April 1947.Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

that he in company with other prisoners of war had worked on the wharfs at WEWAK unloading ammunition, aeroplane parts, rations, and other supplies. He had also worked on the airstrip of WEWAK filling in bomb-craters which had been caused by the bombing from allied aeroplanes.

Evidence for the defence was given by the accused, Gen IMAMURA GOC 8th Army Group, and Lt-Col TANAKA. The accused Lieut-Gen KATO Rinpei stated in his evidence that as the prisoners of war had not made any comments about them being prisoners of war, he thought that they were labourers who were doing their work of their own free will and for the independence of India. He admits having issued the aforesaid order, but states that it applied to Indian and Indonesian labourers and not prisoners of war.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Case 215

AWC No. 2960

Accused: Col NEGISHI Kazue

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 21, 22 May 47
Formation: 8th Military District.

Charge(s)	Plea	Finding
Violation of the laws and usages of war in that he at SANKAKU YAMA about April and May 1945 did permit personnel under his command to ill-treat Indian prisoners of war.	Not guilty	Not guilty

Precis of Evidence: The evidence for the prosecution was in the main documentary, whilst verbal evidence was given by one Sgt NAITO Kasue of the Japanese Army. The substance of the evidence was to the effect that the accused from April to May 1945 was in command of a Hvy Arty Regt, third company of which had approx 150 Indian prisoners of war attached to it. It was alleged by the prosecution that personnel under the accused's command had ill-treated these prisoners of war by overworking them whilst they were sick, and by denying them medical attention and insufficient food. In addition evidence was also submitted to show that these PWs were frequently beaten.

2. The accused gave evidence in his defence and stated that he had received instructions from the Japanese Army HQ at the time of receiving the Indians stating that they were not prisoners of war. Therefore he considered them to be Indian labourers. He also stated that medical and food supplies were short for the Japanese army as well as the Indian PWs owing to the supplies being cut off from their homeland.

Sentence
and Date:Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Qus 208

AWC No.s. 2784, 2783

Accused: Capt TAURA Hidehara,
Sgt. NAITO Katsuo.

Aust W.C. List Ser No.....

Court, Place, Rabaul,
Date and 20, 21 & 22 June 46.
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT between April 45 and August 45 at SANKAKU YAMA of Indian PsW.	Not guilty	Both accused guilty.

Precis of Evidence: 1. The evidence for the prosecution was contained in 9 statements made by Indians who were PW in Japanese hands at SANKAKU YAMA New Britain. The ill-treatment as alleged consisted in general of beatings, lack of medical care, poor accommodation and forcing PW to work when they were not in a fit state of health to do so. In particular the following allegations were made against the accused TAURA. The accused kept half the rations issued for the use of PW. He repeatedly forced PW to work even though they were suffering severely from ulcers. If a PW sustained a wound he would endeavour to make it worse by cutting into such wound the ash from burnt coconut leaves. He made PW work even when they were in a critical state of health so much so that their deaths resulted a day or two later. On one occasion the accused NAITO hit an Indian on the head with a shovel. The accused TAURA was present at this time. On another occasion an Indian who was too weak to lift a basket full of earth and stones was hit on (P.T.O.)

Sentence and Date: Accused TAURA - to be imprisoned for 5 years.
" NAITO " " " " 4 "

Confirmation and by Whom: Finding and sentences confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: ~~Confirmation of finding and sentence promulgated~~
to accused NAITO on 2 Jan 47 and to accused TAURA on 14/2/47

Petition: Petitions lodged 4 June 46 by both accused against finding and sentences.

J.A.G.'s Report on Petition: Confirm finding and sentences and dismiss the petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

the head by the accused NAITO with a shovel and rendered unconscious. The Indian remained in a state of semi consciousness for three days and recovered after 3 weeks. Another case which occurred was one in which an Indian who was suffering from a large ulcer on the left leg was ordered to pull a large trolley constructed to be pulled by horses. On one particular day, he was in a very weak condition and when pulling the trolley with other Indians he fell down in front of the trolley. The accused NAITO ordered the prisoners to keep pushing the truck and the Indian was struck on the spine by the wheel. The Indian was subsequently employed scraping coconuts but he was unable to walk and crawled to his working place each day. About a month and a half after this incident the Indian died. There were other cases of the nature set out above.

2. Both the accused gave evidence in their defence. The accused TAURA alleged that he had never ill-treated Indians but on the contrary he had treated them with kindness. If they experienced any hardships it was due to the Military situation as it then existed. Evidence to this effect was also given by Col. NEGISHI Kazue. The accused NAITO denied all knowledge of the alleged incidents relating to ill-treatment. He admitted that on occasions he had pushed Indians.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2112, 2025, 2026

Accused: Lt-Gen AKINAGA Tsutomu
Maj ITO Taichi
Capt WATANABE Kaoru

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 31 May and 1 and 3 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER in that they at TARLENA, BOUGAINVILLE in or about December 1943 murdered two United States airmen.	All accused NOT GUILTY	All accused NOT GUILTY

Precis of Evidence:

1. The evidence for the prosecution was partly verbal and partly documentary. The verbal evidence was given by L/Cpl OKUSA KATSUMI. The documentary evidence was contained in written interrogations of each of the accused and statements in writing made by each accused. The substance of the evidence for the prosecution was as follows: The witness OKUSA stated in evidence that two American airmen parachuted out of an aeroplane approximately to the North West of PORTON. The airmen were held prisoners for about 20 days and were then executed by beheading with swords. The executions were carried out by Capt KITAMURA and a Japanese NCO whose name is unknown. In addition a Japanese MP Warrant Officer named MORITA was present. The witness was present to act as interpreter and the execution party was under the command of the accused WATANABE (Over)

Sentence
and Date: NOT GUILTY - 3 June 1946Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.

7

Precis of Evidence (contd):

2. Each of the accused gave evidence in his defence. The accused AKINAGA alleged that as Chief of Staff to Gen HYAKUTAKE he merely received orders from his GOC and passed them on to persons concerned. He took no other part in the case of the airmen at all as at the time he was in a very bad state of health. The accused ITO also claimed that he merely passed on to the Chief of Staff messages which came to hand. The accused WATANABE claimed that he gave orders for the execution pursuant to the orders contained in the telegram which had been passed on to him.

1

DPW(AG13(2a))WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R131 *Am 199*

AWC No. No. 2633,2703

Accused: Cpl NAKADE Yoshihazu
Cpl SENBA Masayoshi

Aust W.C. List Ser No.....

Court, Place, RABAUL
Date and 6 June 46
Formation: 8MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR in that they at New Britain in or about June 1944 cruelly beat Hav Major FATEH SINGH of 1st Ind Hy AA Regt, a prisoner of war	NOT GUILTY	NOT GUILTY

Precis of Evidence: The evidence for the prosecution was documentary and consisted of written statements. The statements contained in substance the following facts. For no given reason Japanese named NAKADE GOCHO and SIMBA GOCHO started beating FATEH SINGH. NAKADE GOCHO used a leather belt and SIMBA GOCHO used the butt of his rifle. A bucket of water was then obtained and both Japanese held FATEH SINGH's head in the water. He was again beaten until he became unconscious. The defending officer submitted to the Court that there was no case to answer in that (inter alia) there was no evidence of identification of the accused charged with the accused as named in the statements. The Court upheld the submission of the defending officer.

Sentence
and Date: NOT GUILTY - 6 June 46

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2646

Accused: L/Cpl SAKAI Jiro

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 6 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR in that he at TAULIN GARDENS on 4 Aug 45 did cruelly ill-treat SADAR ALI an Indian Prisoner of War.	NOT GUILTY	NOT GUILTY

Precis of Evidence:

1. The evidence for the prosecution was documentary and consisted of a written statement made by SADAR ALI. It was alleged therein that on 4 Aug 45 Sadar Ali was returning from fatigue duty and because he was hungry he brought with him a papaya. The accused came to the Indian's barracks and when he saw the papaya he beat the Indian with a stick and kicked him. As the blows were severe Sadar Ali was rendered unconscious and confined to his bed for several days.
2. The accused gave evidence in his defence and called a witness who in a measure corroborated his evidence. The accused alleged that Sadar Ali was caught stealing food and as punishment he slapped the Indian twice on the back with his hand.

Sentence
and Date: NOT GUILTY - 6 June 1946Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 201
Ritz

AWC No.....

Accused: Cpl OKI Zenji

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 6 June 46
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT of a prisoner of war in that he at PATANGARE during August 1945 cruelly ill-treated SATAR DIN, an Indian prisoner of war.	Not guilty	Not guilty

Precis of Evidence: The evidence for the prosecution consisted of a statement in writing made by SATAR DIN. It was alleged that whilst working on fatigue carrying wood he was unable to carry a bundle through weakness from malaria. He fell down and the accused beat him with a stick and kicked him whilst he (SATAR DIN) was lying on the ground. The beating and kicking lasted for about an hour. The accused gave evidence to the effect that SATAR DIN had refused to carry wood because it was raining and he adopted a scornful and resisting attitude. He then slapped the Indian two or three times with his open hand and SATAR DIN commenced work.

Sentence and Date: Not guilty - 6 June 46.

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: L/Cpl HARA Kyoshi

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 6 June 46
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT of a prisoner of war in that he at or near Rabaul during July and August 1945 cruelly ill-treated LAL KHAN an Indian prisoner of war.	Not guilty	Not guilty

Precis of Evidence: The evidence for the prosecution was contained in a statement by LAL KHAN and was to the following effect. During July and August 1945 LAL KHAN was suffering from dysentery, and reported to the Japanese Medical officer. The Medical Officer assisted by the accused (named in the statement as "HATAI HARA") and another Japanese beat LAL KHAN with sticks. The defending officer did not call evidence and submitted that a prima facie case had not been made out against the accused.

Sentence and Date: Not guilty. 6 June 46.

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

2.

The accused further alleged that ARAF ALI and other Indians were collaborators and part of the Japanese Army.

18

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R III *Aus-204*

Accused: Sgt TAKEUCHI Sadamaro
L/Cpl TAKAHASHI Yoshitaka
L/Cpl KANAE Shinbee

AWC No.....

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 11 Jun 46
Formation: 8 MD.

Charge(s)	Plea	Finding
ILL-TREATMENT OF prisoners of war in that they at NEW BRITAIN in or about 1944 - 45 cruelly beat a number of Indian prisoners of war.	Not guilty	Not guilty

Precis of Evidence: The evidence for the prosecution consisted of written statements by seven Indians. It was alleged therein that the accused who were named "TAKEUCHI GUNSO", "TAKASHI" or TAKASHA or TAKASHE and KAANAU had committed acts of ill-treatment of the following nature:- Beatings with sticks, standing in the sun for long periods, beating with an iron bar, beating with a shovel until unconscious. There was no evidence of identification of the accused. The accused did not give evidence and the Defending Officer submitted that there was no evidence to identify the accused as named in the statements with the accused charged.

Sentence and Date: Not guilty - 11 June 46.

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Sgt Maj OTSU Kenji

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 11 June 46
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER in that he at Nunga Nunga New Britain about 28 Oct 44 murdered Naik Mohd Khan.	Not guilty	Not guilty

Precis of Evidence: The evidence for the prosecution was documentary and consisted of a statement in writing made by Subedar Sahib Dad. The statement contained (inter alia) evidence to the effect that GHUNSO OTSU beat the deceased MOHD KHAN with a heavy stick until he fell to the ground in an unconscious condition. As a result of the beating he continued to bleed freely for two days and on the third day the deceased died. He was not given any medical treatment. The beating occurred on 25 Oct 44 and the deceased died on 28 Oct 44. The accused denied the charge and alleged that MOHD KHAN died as a result of malaria. There was some evidence called in corroboration of the evidence of the accused and also a death certificate was put in evidence showing the cause of death as acute enteritis.

Sentence and Date: Not guilty. 11 June 46.

Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No. 2022 and 2023

Accused: Lt FUKUYAMA Shodo
L/Cpl IMAI Katsuyoshi

Aust W.C. List Ser No.

Court, Place, RABUL
Date and 11 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
VIOLETION OF THE LAWS AND USAGES OF WAR in that they at BOUGAINVILLE in or about April 1943 unlawfully assaulted YEE CHIN FOOK (sometimes known as HO CHENG or HO CHUN) a Chinese national	Both accused guilty	Both accused not guilty

Precis of Evidence:

The evidence for the prosecution was documentary and contained in declarations made by YEE CHIN FOOK and PON SEE both Chinese Nationals. It was alleged that YEE CHIN FOOK escaped into the jungle and was at liberty for about two weeks. He was then recaptured and a rope was tied under his armpits and tied to a horizontal pole so that his feet were off the ground. The accused FUKUYAMA came along and struck YEE CHIN FOOK on the head with his sheathed sword. As a result of the blow the Chinaman's head bled for some time and a permanent scar remained. The accused IMAI helped to tie YEE CHIN FOOK to the pole. The Chinaman remained tied to the pole overnight and next morning in the presence of the accused IMAI another Japanese named MAN NEN placed some paper in a tin and set the paper on fire. The burning paper was

(Over)

Sentence and Date: NOT GUILTY - 11 June 46

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered

Precis of Evidence (contd)

placed as close as possible to the Chinaman's face. At the time he was lying on the ground. This Japanese also compelled YEE CHIN FOOK to drink a large quantity of water. He was made to sit up and he was kicked by the Japanese. The accused IMAI was acquitted without giving evidence. This was done on the submission that the accused took no part in the ill treatment at all. The accused FUKUYAMA gave evidence in his defence. He admitted that he struck the Chinaman a blow but it was a very slight blow and did not cause any disability at all. He struck the blow because YEE CHIN FOOK assumed an insolent attitude towards him.

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2027

Accused: Capt KATO, Eikichi

Aust W.C. List Ser No.

Court, Place, Date and Formation: RABAUL
7 May 46
8 MD

Charge(s)	Plea	Finding
MURDER between Sep 43 and Oct 45 of 3 PETATS natives at North Bougainville.		
MURDER between Sep 43 and Oct 45 of 3 MATSUNGEN women and one child at North Bougainville	NOT GUILTY	Guilty of both charges except the words "and one child."

Precis of Evidence: 1 Accused admitted that he had ordered the execution both of the PETATS natives and MATSUNGEN women. He justified his action by saying they were attached to the Japanese forces, but they had been proved to be hostile and after an investigation he ordered them to be killed to prevent them from escaping and giving information to the Australians. He alleged that he discussed the matter with his staff officers before ordering the two sets of executions. 9/22 of the charges mentioned in the charges

Sentence and Date: DEATH BY SHOOTING
7 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE - 8 Jul 46

Promulgation: 31 Jul 1946 (Executed 1 August 1946 at Rabaul).

Petition: Submitted 17 May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered



R 59
CAPT
KATO

FORM FOR ASSEMBLY AND PROCEEDINGS OF A MILITARY COURT

29th day of APRIL 1946

WHEREAS it appears to me, the undersigned, an Officer authorised to convene a Military Court under the War Crimes Act 1945 that the person named in the annexed Schedule has committed the war crimes in the said Schedule mentioned, I HEREBY CONVEGE a Military Court to try the said person and to consist of the Officers hereunder named.

PRESIDENT

Lt Col J. MOYSE att Hq 8 MD)Is appointed PRESIDENT

MEMBERS

Lt Col H.M. McDONALD Hq 8 MD
Maj J.S. MacLEAN att Hq 8 MD
Maj R. BRETHERTON 26 Aust Inf Bn.)Are appointed MEMBERS

JUDGE ADVOCATE

Capt I.A. CHISHOLM AALC Hq 8 MD is appointed JUDGE ADVOCATE

Boatman
Maj-Gen
CONVENING OFFICER

SCHEDULE GOC EIGHTH MILITARY DISTRICT

Number, Rank, (a) Name and Unit of Accused	Offence Charged	Plea	Finding, and if convicted, Sentence (b)	How dealt with by Confirming Officer (c)
Capt. KATO BRIGHT BRITISH of 87 Naval Garrison Unit. ✓	MURDER in that he in NORTH BOUG-ANVILLE between Sept 43 and Oct 44 murdered 3 PETATS natives.	Not Guilty	Guilty of the first charge and Guilty of the second charge excepting the words "and one child"	Finding and Sentence Confirmed <i>W. C. G. Sanderson</i> 8 Feb 46
	MURDER in that he in NORTH BOUG-ANVILLE between Sept 43 and Oct 44 murdered 3 MATSUNGEN women and one child. ✓	Not Guilty	to suffer death by shooting.	

Maj-Gen
CONVENING OFFICER (d)
GOC EIGHTH MILITARY DISTRICT.

CERTIFICATE OF PROMULGATION

Promulgated in the case of Capt KATO, Bikichi this 31st day
of July 1946.

(Sgd) *[Signature]* Capt.
SC(A) 8th Military District..
Name, Rank and Unit of Officer
effecting promulgation.

Promulgated in the case of _____ this day
of _____ 1946.

(Sgd)
Name, Rank and Unit of Officer
effecting promulgation

Promulgated in the case of _____ this day
of _____ 1946.

(Sgd)

WARRANT OF EXECUTION

WHEREAS Capt KATO Eikichi on the 7th day of May 1946 was sentenced by military court held at RABAU to death by shooting. And whereas the finding and sentence of the said military court have been duly confirmed in accordance with the War Crimes Act 1945, and whereas I have reviewed the said sentence, now therefore I, Vernon Ashton Hobart STURDEE of the Australian Military Forces hereby approve of the carrying out of the sentence confirmed as aforesaid.

Dated this 8th day of July.
One thousand nine hundred and forty-six.

Vernon Sturdee

Lieutenant-General,
AUSTRALIAN MILITARY FORCES

(11)

CERTIFICATE BY OFFICER SUPERVISING THE EXECUTION

I, RONALD HERBERT HICKS an officer of the AMF certify that I was present at and supervised the execution of the abovenamed Capt KATO Eikichi at RABAU at 0900 hrs on the 1st day of AUGUST 1946

Dated this 1st day of AUGUST 1946.

Ronald Herbert Hicks
Signature

(111)

CERTIFICATE BY MEDICAL OFFICER PRESENT AT THE EXECUTION

I, *Geoffrey Elliot Carter* a legally qualified medical practitioner certify that I examined the body of the person executed in accordance with the above certificate and pronounced life extinct.

Dated this 1st day of August 1946

Geoffrey Elliot Carter
Signature

7
The records of the proceedings of the Court will be attached to this form.

- (a) If the accused is not a member of the Navy, Marine, or Air Force of an enemy or ex-enemy Power the name, occupation, and residence of the accused will be inserted.
- (b) Recommendation to mercy, if any, to be inserted in this column, or on a separate sheet attached to the proceedings, with the reasons for the recommendation.
- (c) It is not necessary that the Confirming Officer should sign his name in this column. Initials are sufficient.
- (d) Must be signed by the same Officer who signed on the first page, and all alterations in the first two columns of the Schedule to be initialed by him.

B. I CERTIFY that the above Court assembled on the 7th day of May 1946 and duly tried the person named in the Schedule, and that the Plea, Finding, and sentence in the case of such person were as stated in the third and fourth columns of that Schedule and that the Regulations for the trial of War Criminals have been complied with.

I ALSO CERTIFY THAT -

- 1. The Members of the Court
 - 2. The Judge Advocate
 - 3. The Witnesses
 - 4. The Interpreter
 - 5. The Shorthand writer
- were duly sworn.

SIGNED this 7th day of May 1946.

[Signature]
PRESIDENT OF THE COURT

C. I have dealt with the findings and sentences in the manner stated in the last column of the Schedule, and, subject to what I have stated, I CERTIFY the above findings and sentence.

[Signature]
8 July 46
CONFIRMING OFFICER

PROSECUTION in the case of.

(Date) (a) 1946.

Signed.

- (a) When several cases are prosecuted on the same day the Officer effecting prosecution need only sign once.

THE WAR CRIMES ACT 1945

TRIAL OF :

Capt KATO Erikichi of 87 Naval Garrison Unit.

DATE OF COURT :

7th May, 1946.

PROSECUTING OFFICER :

Lt D.G.E. HILL

AALC

att HQ 8 MD

DEFENDING OFFICER :

Lt K.G. WYBROW Legal Qualifications att HQ 8 MD
OMASA Mitsuru is the Japanese Defending Counsel.

The Accused is brought before the Court.

The Members of the Court and Judge Advocate are duly sworn.

HATTORI Shoji is sworn as the Interpreter.

The two Charges are read to the Accused.

The Accused pleads NOT GUILTY to both Charges.

The Court adjourns at this stage, the time of adjournment being 1200 hrs.

The Court re-assembles at 1330 hrs, 7th May, 1946, the same President, Members, and Judge Advocate being present.

CASE FOR THE PROSECUTION

Prosecutor tenders report of the interrogation of the accused, Capt KATO Erikichi, which is read, marked Exhibit A, signed by the President and annexed to the Proceedings. The document is admitted in evidence. The report of the interrogation has a certificate attached signed by Cpl J.F. BLANEY, an ATIS interpreter.

Prosecutor tenders report of the interrogation of 1st Lt GOTO Daisaku which is admitted in evidence, read, marked Exhibit B, signed by the President, and annexed to the Proceedings. The report of the interrogation has a certificate attached by Cpl J.C. FERRIS, an ATIS interpreter.

CONCLUDES THE CASE FOR THE PROSECUTION.

CASE FOR THE DEFENCE

Capt KATO Erikichi being duly sworn is examined by the Defending Officer through the interpreter HATTORI.

Guided by my conscience, I swear to tell the truth without withholding any evidence whatsoever, and also I will not add anything besides the truth.

加藤 隆吉

I am a Naval Captain, my name is KATO Erikichi and my unit is the 67 Garrison Unit.

Witness is shown a statement signed by him.

That is my signature.

The statement has been read over to me in Japanese and it is true and correct.

The statement is tendered, admitted in evidence, read, marked Exhibit C, signed by the President, and annexed to the Proceedings.

Defending Officer tenders a document containing extracts from the Japanese Criminal Law, the Naval Criminal Law, and an attachment Regulations of the Naval Land Operations. The document is admitted in evidence, read, marked Exhibit D, signed by the President, and annexed to the Proceedings.

Q. Did you punish any Japanese soldiers those days on charges of committing crimes?

A. Yes.

Q. What kind of crimes?

A. Ones who sold rifles to natives and ones who deserted.

Q. Did you open a Court?

A. No.

Q. In what way did you judge and punish?

A. It was the same as the natives, that is, after receiving a full report I went through the report carefully and made another examination and then awarded punishment.

- Q. What do you mean by another examination?
- A. An investigation.
- Q. Tell me in detail the reports concerning the investigations of the natives in PETATS Island.
- A. ~~Reports that the Japanese forces were attempting an attack against PETATS Island.~~
- A. Reports that the Allied forces were attempting an attack against PETATS Island.
- Q. Can you remember any more about the investigations of these two particular incidents apart from those contained in your statement?
- A. From a certain native chief it was reported that the natives of PETATS and MATSUNGEN Islands required watching. Also information was to hand that some natives from PETATS and MATSUNGEN Islands had already fled to the Allies.
- Q. Had you the authority to punish the Japanese and natives?
- A. Yes.
- Q. Why did you not give details of the case at the time of your former interrogation?
- A. When interrogated at FAURO Island I was told that details should be given at a court martial.

CROSS EXAMINED

- Q. Are you a professional member of the Japanese Navy?
- A. Yes.
- Q. And how long have you been a member of the Japanese Navy?
- A. About 30 years.
- Q. Were you trained at a Naval Staff College?
- A. Yes.
- Q. Did you study International Law with regard to ~~war~~ ^{war}?
- A. Yes.
- Q. Do you know those parts of International Law dealing with spies?
- A. Yes.
- Q. Do you know the duties of an occupying power towards the country they occupy?
- A. Yes.
- Q. Do you consider that the duties of a Commander towards such inhabitants is a very high one?
- A. Yes.
- Q. Were the natives of BOUGAINVILLE and adjacent Islands inhabitants of occupied Territories?
- A. Yes, at first they were inhabitants of occupied territories, but later it became a battle field.
- Q. That doesn't mean that their status was changed?
- Defending Officer objects on the grounds of vagueness.
Court rules that the question is allowable.
- A. I think their status would change.
- Q. What would it change to?
- A. By status I mean changing from an occupational area to a battle field area.
- Q. Isn't it a fact that the changing of the area to a battle field makes your obligations to inhabitants higher than ever?
- A. Yes, it would.
- Q. Isn't it a fact that the actual names and identities of the persons concerned were not mentioned in the report?
- A. I don't remember exactly.
- Q. Actually your main concern was to make an example of somebody?
- A. Because they signalled enemy aircraft that is why I did it.
- Q. But you weren't concerned at their actual identity?
- Question withdrawn.

RE EXAMINED

- Q. What did you mean when you said that the obligation towards inhabitants of a battlefield were higher than towards inhabitants of an occupied territory?
A. The maintenance of peace would be a very big problem.

NO QUESTIONS BY THE COURT.

I swear that I have told you the truth without adding anything.

加藤 榮吉

Evidence is read over to the Witness who does NOT desire to correct same.

CONCLUDES THE CASE FOR THE DEFENCE.

NO EVIDENCE IN REBUTTAL.

At this stage the Court amends the Charge Sheet to read Eikichi instead of Erikichi.

The Court also amends the Charge Sheet by substituting "45" for "44" in both charges.

PROSECUTOR ADDRESSES.

The Prosecutor makes an Address to the Court which he does not desire to be recorded.

The Defending Officer makes an Address which is not recorded.

THE JUDGE ADVOCATE ADDRESSES THE COURT (Summarised)

In this case the accused is charged on two murder counts. It is possible for the Court to find him guilty on both charges, not guilty on both charges, or guilty on one and not guilty on the other. I must point out to you that this is a criminal charge and as such the onus of proof rests always on the Prosecution. Draws Court's attention to the definition of Murder in Archbold at Page 859 and the Manual of Military Law at Page 129. Manslaughter is defined in Archbold at Page 859 and in the MML Page 130. Malice -- Express, is defined in Archbold at Page 864. Malice -- Implied, is defined in Archbold at Page 865. The Court's attention is also drawn to the following :
In the Manual of Military Law.--
Page 234 -- Articles at 158 and 159.
Page 271 -- Articles 361 and 362.
Page 274 -- Article 377
Page 276 -- Article 386 and 387
Page 290 -- Articles 452 and 455.
In addition I refer you to the Punishment of War Crimes at Page 287, Articles 441 and 442. Also to the MML at Page 289, Article 449. "Punishments" is also dealt with in Article 450 at Page 289. Further attention of the Court is drawn to the MML at Page 291, Article 459, and the Articles 29 and 30 on Page 334.

The Court adjourns at 1520 hrs to consider the Finding.

The Court re-opens at 1527 hrs and the President announces that the accused, Capt KATO Eikichi, has been found GUILTY on both Charges, excepting "one child" in the Second Charge.

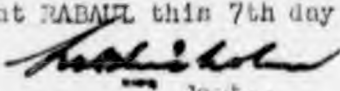
The Defending Officer in Mitigation says that the Accused is a Senior Japanese Officer and the penalty of death by hanging should not be imposed.


The Court is closed at 1532 hrs to consider the Sentence.

The Court is re-opened at 1535 hrs, and the President of the Court announces that the accused, Capt KATO Eikichi, ~~shall~~ suffer death by ~~hanging~~.

Such Finding and Sentence is not final until confirmed by higher authority.

Signed at RABAT this 7th day of May, 1946.


Capt.,
Judge Advocate.


Lt Col.,
President.

STATUTORY DECLARATION

I, Cpl. ~~James P. Almer~~ BLANEY of A T I S
do solemnly and sincerely declare :-

1. That at FAURO Is. on 11 Jan 46 I was present with Capt. A.K. SANGSTER AALC and 1st. Lt. KATO Tatsuro of 38 Japanese Bde HQ during the interrogation of Capt. KATO Erikichi, Comd 87 Japanese Naval Garrison Unit by Capt. F.B. TREATT AALC.
2. That the said interrogation was conducted in English and Japanese and that 1st. Lt. KATO did the actual interpretation.
3. That I am a qualified interpreter and translator of Japanese into English and vice versa.
4. That at the above interrogation I sat next to the said Capt. SANGSTER checked the interpretation by 1st. Lt. KATO and checked the taking down in writing by the said Capt. SANGSTER of the questions and answers.
5. That the attached typed copy of the interrogation marked 'A' is a true and accurate record of the said interrogation.

AND I make this solemn declaration by virtue of the
Statutory Declarations Act 1911 conscientiously
believing the statements contained therein to be
true in every particular.

James P. Almer.....

Signed In the Field this
2nd day of Feb. 1946
pursuant to National Security
(Supplementary) Regulation 63
before me *QX 52817* *W. H. Lach*
Harold Howard Lach

Australian Military Forces.

W. H. Lach
.....
W. H. Lach

ANNEXURE "A" of three pages (each signed at the foot thereof by me) to the
Statutory Declaration of *W. H. Lack* sworn before me 21 Jan 46
this 11th day of Feb 1946.

W. H. Lack
Officer taking Declaration

Capt. KATO Eriichi, Comd 87 Garrison Unit, being questioned by
Capt. TRENT and LANGFETTER, with the assistance of interpreters
Opl. BLANEY of A T I S and Lt. KATO of Japanese Army states :-

- Q. When did you first go to BUKA?
- A. Sept. 43.
- Q. What was the previous Unit and Comd in the Area?
- A. Rear Admiral TAMURA. There was no name of the unit- some
Construction men and some garrison troops.
- Q. What were the names of your Adjutants?
- A. At first I had none. I had only one Adjutant- 1st Lt. HONDA.
- Q. Who was Lt. Comd. KANOF?
- A. C.O. of Water Transport Unit (barges).
- Q. At CHINATOWN?
- A. Yes - most of the time. very few times he was in BUKA.
- Q. Why did you order the killing of the 3 PETATS Australian Islanders?
- A. These three were guilty of breaches of laws of war.
- Q. What were they guilty of?
- A. They disobeyed orders several times.
- Q. What orders?
- A. The orders not to escape from BUKA. If they escaped they would
be enemies of the Japanese and would join the Australian Army
and induce every boy in BUKA to do so. I feared I would have to
fight all the natives in BUKA.
- Q. But these three boys had not run away?
- A. I felt there were signs these boys would escape.
- Q. Is it a principle of Japanese laws of war that you punish
a man before he commits a crime?
- A. I recognised that to kill these three boys was necessary to
preserve the defence of BUKA.
- Q. Why did you order the killing of the three MATJUNGAN women?
- A. I ordered these executions for the same reason as for the
3 PETATS boys.
- Q. But these 3 women could not join the Australians to make war
on the Japanese?
- A. When the PETATS and MATJUNGANS ran away the native women went
with their men to join with the Australians.
- Q. But one of these native women was married to a NOVA boy?
- A. I didn't know that.

W. H. Lack

- Q. And the other two were old and with sores on their arms?
- A. I didn't know the details of the women. The PEIATS ran away then the MATSUNGANS, and then I ordered the executions.
- Q. The GREEN Islanders were executed as spies?
- A. One reason was that they were spies, and they also disobeyed orders to stay at one place they walked about instead.
- Q. What about the two native fishermen belonging to BOWEN?
- A. I didn't hear about them.
- Q. Why were they imprisoned at BOWEN?
- A. There was no gail in BOWEN.
- Q. What are the full details of all aircraft crashes?
- A. Early in 1944 a Fighter crashed in the bush near ORTJANA. I hear there was only one airman.
- Q. He survived?
- A. He was dead.
- Q. What about the other one that crashed near ORTJANA?
- A. So far as I know I didn't hear of him.
- Q. What other crashes?
- A. Near the airfield in BOWEN one aircraft crashed. That was about the end of 1943.
- Q. What kind of aircraft?
- A. Bomber - one engine.
- Q. How many airmen in it?
- A. I think there were three, all killed.
- Q. When was the next one?
- A. Another one crashed into the sea between SCHAMA and MADAHAS. It was about Nov 43. Two engined aircraft. In my memory - four or five airmen were survivors. One American Officer.
- Q. Did you see him?
- A. No.
- Q. Who were the others?
- A. I thought one N C O and some privates.
- Q. Where were they taken ashore?
- A. CHINATOWN.
- Q. What happened to the Officer?
- A. He went to MARAUL.
- Q. I sent the NCO and privates to MARAUL by the last Japanese boat. Later I had heard that the destroyer was sunk, by the American fleet near RA. AL.

H. W. Laek Major

- Q. I heard that the NCO and the privates were killed near CHINATOWN?
A. It is not true.
Q. What about the skeletons we found?
A. I didn't know about the skeletons.
Q. What was the next aircraft crash?
A. Four Engines plane crashed into the sea some distance East of BUKA Passage. I do not remember the date. I think it was early 44.
Q. How many survivors?
A. I didn't hear of any.
Q. Two survivors were brought into BUKA for interrogation by an interpreter?
A. I don't know of that.
Q. One of your Officers was there on your orders. HAKIHASHI was interpreter.
A. I didn't order HAKIHASHI to interrogate them.
Q. What happened to the two survivors?
A. I didn't know of it.
Q. Weren't they kept in your Hq. under guard for a week before being questioned?
A. There were none.
Q. When was the next crash?
A. I didn't know about any more.
Q. Would aircraft crashes be reported to you?
A. I got a report about all 14 of them.

W. H. Laer
Major

STATUTORY DECLARATION

I, Cpl. JOHN CHAPMAN FERRIS of A T I S
do solemnly and sincerely declare :-

1. That at FAURO Is. on 8 Jan 46 I was present with Capt. A.K. SANGSTER, AALC and 1st. Lt. KATO Tatsuro of 38 Japanese Bde Hq during the interrogation of 1st Lt. GOTO Daisaku of 20 Japanese Naval Construction Unit and later 87 Japanese Naval Garrison Unit by Capt. F.B. TREATT AALC.
2. That the said interrogation was conducted in English and Japanese and that 1st. Lt. KATO did the actual interpretation.
3. That I am a qualified interpreter and translator of Japanese into English and vice versa.
4. That at the above interrogation I sat next to the said Capt. SANGSTER, checked the interpretation by 1st. Lt. KATO and checked the taking down in writing by the said Capt. SANGSTER of the questions and answers.
5. That the attached typed copy of the interrogation marked 'A' is a true and accurate record of the said interrogation.

AND I make this solemn declaration by virtue of the
Statutory Declarations Act 1911 conscientiously believing
the statements contained therein to be true in every particular.

J. Ferris
.....

Signed In the Field this 14th day of
February 1946 pursuant to National
Security (Supplementary) Regulation 63
before me Lt. H. H. Lacer
Harold H. Lacer

Australian Military Forces.

H. H. Lacer
.....
Major

ANNEXURE "A" of six pages (each signed at the foot thereof by me) to the
statutory Declaration of *John Chapman* sworn before me *2-2-46* 15
this *10th* day of *February*, 1946.

H.H. Pack Major
Officer taking Declaration.

Navy 1st. Lt. *OSUO* Buizaka of 20 Naval Construction Unit, and then
of Garrison Unit, being interrogated by Capt. *YOUNG* and *SAWYER*,
with the assistance of interpreter *Cpl. FENNIS* of A.T.I.S. and
1st. KATO of Japanese Army says :-

Q. When did you arrive in BUKA area and what were your movements
from then on ?

A. Arrived BUKA area 2 November 45, and went to INHA and stayed
in Paganian Lulua's house for 2 months.

Q. What was your job?

A. I was C.O. of the Construction Party and looked after rations
and building materials and some Adjts. work.

Q. And native labour?

A. I began to work the natives in Feb 46.

Q. When you left INHA where did you go?

A. OHTANA. I stayed there until Oct 46 and then went to TELAFU
not with my unit but with a few of G/R's, and later a few more.
(After the surrender I had 2 mm, 6 marines and 2 natives.)

Q. What was your job at OHTANA?

A. I worked at the same work as before. Sometimes I went to BARAK
for cement, rations, or lap-laps etc, returning myself by plane.
Another job, I looked after natives working on the airstrip.

Q. When you went to TELAFU you were overseer of native gardens?

A. Yes. When I was in OHTANA I ordered all natives to make gardens
for themselves. I wanted to call up all the natives. Later I
received an order to build up gardens for rations for Navy use.

Q. Whose order was that?

A. Comd. of the Garrison, Capt. KATO, who was at BUKA with Hq. of
87 Garrison.

Q. What units were at KOKOPO?

A. I don't know the name. (It is pointed out on the map). We called
it "towards BARAK" as the area was all called "BOKU". I was
not there myself. In BOKU was 87 Garrison Bn. In KOKOPO there
was nothing.

Q. You had a couple of soldiers in most of these villages- pointing
to various villages around BUKA area?

A. Yes. In each village I put in a Japanese civilian, with one
marine to look after two villages. Sometimes in a big village
there would be a marine as well as a civilian.

Q. Do you know POKAN village?

A. Yes.

Q. Did you see *MAJUNGAN* natives, who were living on Little BUKA,
working for you in the gardens?

A. As far as I know some boys from *MAJUNGAN* were living at INHA.
Some time they had married *MAJUNGAN* women. Some *MAJUNGAN* were living
at POKAN.

A. So far as I know some MATSUGAN boys were living at NOVA because they had married NOVA women. Some PHEATH natives were living at PCHAY.

Q. Do you know a native village here(pointing to TUREN)?

A. No.

Q. Do you know NOKIA?

A. Yes.

Q. Didn't you want the MATSUGAN natives who were working for you to come and live at NOKIA?

A. After PHEATH boys ran away I told the chief native of MATSUGAN to bring his men to NOKIA. It was a request not an order.

Q. You had MATSUGANS working at TELAFU?

A. Usually they worked at NOKIA, but a very few from MATSUGAN were working at TELAFU. Usually TELAFU was too far away for them.

Q. When the PHEATH natives escaped you took steps to prevent the natives escaping?

A. After the escape I thought the other natives would follow such. I took a luluai and a tal-tal to TELAFU and ordered them to stay and look after the natives there. Later I kept only one of these two. This went on for one month.

Q. Why did you shoot the two PHEATH boys at TELAFU, and the one at MALABANG?

A. When the PHEATH ran away I took the three men and asked them where their relatives were and why they stayed. One stayed at TELAFU and the third at MALABANG. There were other PHEATH who stayed at TELAFU.

Q. Why did you shoot these three?

A. When the PHEATH ran away 15 boys were left at TELAFU working in gardens. These 15 asked for permission to go back to PHEATH. I ordered them to stay, and promised them various things if they stayed, but if they didn't something would happen to them. Even so one man ran away after that. 6 of the remaining 15 I put in the care of the luluai HADEN of REILUT and said I'd shoot them if the other six ran away. 8 more I handed to ITHUMI BUNITS of TELAFU. Another young native was put in care of luluai PANG of KUTUNETS. Another went to TAIHAI TAIHAI. Another went to KONGING. Another to MALABANG. Eventually they all ran away except three. Then Capt. KATO ordered him to kill these three.

Q. How did you get the orders from KATO?

A. I had a telephonscall from KATO.

Q. Did you know KATO's voice?

A. The Comd wrote orders in letters and his phone orderly read it over the phone, through several switchboards, who relayed it, where my own telephone orderly would receive it. On this occasion I took the message myself.

Q. Then you passed on the order that they be shot?

A. Yes.

Q. To whom?

A. To 3 and 4 and I detailed for the job.

Q. Did you see the shooting?

A. No. I only heard the shots for one of them. One boy was shot nearby. The other two were shot on the road and I didn't hear them.

Q. You had the MATSUNAGA boys working for you near KENIA?

A. Yes. Sometimes at TELATU.

Q. Do you know a native woman KICHOU?

A. Not the name. There were three MATSUNAGA Marys left when the boys ran away. One was a daughter of a Ialmai. GURIAN was the Ialmai next after the father. I do not know the latter's name.

Q. When the MATSUNAGAS ran away you had a Mary and Ialmai MONDO and two other boys brought up to TELATU?

A. The Mary and MONDO and GURIAN and two of these boys were brought to TELATU.

Q. You questioned them?

A. Yes.

Q. What else happened there?

A. I put GURIAN, MONDO and a few others into a compound. Then I questioned them there. I found that the Mary was a MATSUNAGA, daughter of the previous Ialmai. I questioned them to find some relationship between some of the and some PETATS boys. While the questioning was taking place I received an order to kill all MATSUNAGAS near NOVA. Then I sent 3 soldiers to NOVA to shoot them. Two Marys could not understand pidgin and were mentally affected, and I ordered them to be shot on the road. The third Mary I ordered to be sent to NOVA for shooting, but I found that the soldiers shot her near TELATU. I kept MONDO, GURIAN and the others in custody.

Q. At what time of the day did you receive your orders from KATO?

A. I do not remember the date. It was the evening of the day after the MATSUNAGAS ran away, after I had reported that to KATO. It was in 1945. It may have been between May-June, but not later than June.

Q. And you ordered the shooting of the Marys the day after you received the order from KATO?

A. Next morning before time for working natives to get up.

Q. Was KICHOU a young or old Mary?

A. Young.

Q. Did you take her into your house the night of KATO's order?

A. I called her over to a hall used to give orders. It was a drawing room.

Q. What happened there?

A. I took MONDO, GURIAN and KICHOU into the room and before I began to question them I ordered them to be blindfolded so they wouldn't give signs to each other. When I finished the questioning I got my orders. Then I had KICHOU put into a storeroom. Because I had no goal to keep her apart from the other natives.

Q. Did you have sexual intercourse with her?

A. No.

A. I did not see any, nor hear of any at CHEYENNA but I guess
Liberator coming down at some.

- Q. Were there any survivors?
- A. I did not hear about any. If there were any the GNR and the Garrison Unit would have known about it.
- Q. Didn't you hear of two fighter planes crashing in the lake near CHINAKA?
- A. I heard that one crashed near CHINAKA.
- Q. Any survivors?
- A. I heard that only one pilot was aboard and that he was dead.
- Q. Was this about Apr 45?
- A. I think it was about the end of 45.
- Q. Where were you in April 45?
- A. CHINAKA.
- Q. You had A/A guns at HANAKA?
- A. Yes. Near there.
- Q. Didn't you hear about a plane falling down near CHINAKA in Apr 45?
- A. I do not remember the month, but I have only once seen an aircraft crash near CHINAKA.
- Q. Were there not two men in the fighter that made a forced landing - one dead, one alive?
- A. I heard only one man was in it, but he was dead.
- Q. How is it that the Japanese marines told the natives one was dead and the other alive?
- A. One of my officers went up to see the crashed plane. He reported it was a Corsair, with one man dead. He was Sub-Lt. KAWAKITA. He was an old officer. He went to JAPAN. I am not sure if it was KAWAKITA there were four other officers living there. Sub. Lt. KAWAKITA being now in HANAKA Island, Lt. Cmdr. JAMES I since killed in action. Most officer let LOCHMANN now in HANAKA Is.
- Q. Did you hear of any planes crashing near or in the lake area?
- A. I heard that a plane was seen from the watchtower at the strip, crash into the sea.
- Q. Did you hear of survivors of a crash taken to CHINAKA?
- A. No.
- Q. How is it that a lot of other people know about this, but you, a fairly Senior Officer do not?
- A. They may be Garrison marines.
- Q. You are not doing yourself any good by hiding information. We know some things.
- A. My job is only concerning our work and with the natives, and had I been at Garrison Is, I might have known. Being at a distance I need not to hear rumors.
- Q. Do not Naval Officers discuss what is happening when they meet?
- A. They talk about anything that happens, but I never heard about any of these. If I knew I would tell you.

W.H. Lutz - near

Q. Who would know all about these things?

A. Capt. KATO. His Adjutant 1st Lt. KUNIKIDA, who is now in KANON IS. and who was Adjutant of 57 Garrison at BUKA, and lived at BUKA.

Q. Do you know anything about CHINESE Islanders?

A. Yes. About 10 landed between KANALIS and KANAKAN towards the end of 1944.

Q. What happened to them?

A. A branch of Garrison at KANAKAN captured them and sent them to BUKA.

Q. What happened then?

A. I never heard but I think they may have been killed as I would have taken charge of them if they were left alive. I heard these CHINESE Islanders talking that they came to trade but I thought they came to get information for the Allies. The CHINESE Islanders consisted of one adult and 9 boys.

Q. Who told you about all this?

A. Natives, and when I went to BUKA to answer questions concerning relationship of CHINESE Is. boys with BUKA boys. I went with Ikuu KANAKA of KANALIS & BUKA.

Q. Who questioned you about CHINESE Islanders at BUKA?

A. An Officer of Garrison at BUKA spoke with me, and a civilian Inter-Doctor KANAKAKI belonging to 58 Camp Unit questioned KANAKA.

Q. What made you move from BUKA to TELAFU?

A. To provide bigger native gardens and to make BUKA a fortress.

Q. What were you called by BUKA boys?

A. I was called TUKU, later on KUNIKIDA which means in Japanese Chief Quartermaster, and later on someone called me JOYO or KUNIKIDA which means "Chief looking after the natives".

I am only a Q M with no commanders powers and always received orders to do these shootings.

W.H. Lachs major

I was at BOWEN in command of about 1,000 men, soldiers and sailors, and a commander of combatants and garrison in Buka Island and the northern end of Bougainville Island. I was called the commander of the 87th Garrison Troop. Australian Forces cut Bougainville in two, and the 8th Fleet, but HQ was at BUIH at the southern end of Bougainville Island. Naturally we could have no communication between us.

My garrison troop was isolated perfectly in Buka area from the Japanese Forces, so I retained the highest authority concerning the military affairs in this area. There were about 8,000 men in my garrison at first, but gradually we lost many of us, namely, more than 4,000 men died of sickness and from starvation, about 500 men were killed in action, about 300 men were killed by attacks by hostile natives; the loss was equally as many as the victims in action. Those days, persons died from starvation one after another ~~another~~ owing to miserable conditions of food, and we had no medicines at all, so most of the officers and sailors suffered from malnutrition, malaria, tropical ulcers; therefore we had extremely poor energy. On the contrary about 800 natives were in this area, two and half times as many as our garrison troops. My unit continued to fight against the Australians in SORAKEN district. Simultaneously the landing of the Australians on my garrison area would be inevitable. I established sentry stations at important places, and garrisoned there. On the other hand I had to support ourselves to get products for the combatants and garrison, and construct positions against the enemy. But there came out patients incessantly, so we had to employ plenty of natives in my area owing to the unavoidable circumstances. We collected natives too from TETATU, MAGGAN, PORARU and other islands from where they could sail by canoe and employed them all kinds of works of our unit. The system of employing the natives from the villages was that of one week rotation. Consequently they knew all about military strength, their posts, and military establishments. So under such circumstances every act of the natives was more important than our operation, and meant a matter of life and death. I despatched pacification personnel to every place and tried earnestly to have them to cooperate with the Japanese. We were losing the battle in the SORAKEN district and gradually retreated, oppressed by the Australian Force. We were shelled from the sea nearby by the Allied Warships, air raided from the air more intensely, and our loss of the battle became quite inevitable. Moreover, the Australians scattered the leaflets, and let hostile natives invade and propagandize against the Japanese. So the natives in this area recognized perfectly our loss of war. Their minds were excessively unsettled. They did not trust the Japanese any longer. They attacked us again and again. In the neighbourhood of FUTO all the division were attacked and killed by natives. The sentry station at TEMFUTU was attacked by them and all the members were killed. I still remember the abovementioned because of great accidents. Owing to attacks by natives very often, it was very dangerous for a few Japanese sailors to act. Judging from these situations, I was anxious about the ~~general~~ generalization of enemy character among natives keeping pace with the pressing military situation.

Besides, from that time actions of hostile natives more and more keen and violent. Namely war treason, espionage, assassination of Japanese Officers and men, escape to the enemy, and signals to enemy planes by them. In addition to these, the Australians took the advantage of this opportunity and alienated the natives from the Japanese. It was a terrible menace to our corps that depended much upon the natives. I tried earnestly to seek for, catch, and punish the natives of enemy character. I still remember that about 10 enemy natives from GREEN ISLAND

read
1345 for
Hull

slipped into BUKA ISLAND by canoe to scout our military establishments, and that the enemy who landed on TAYOU ISLAND went to every island by barge or other ships, basing themselves there, in order to attempt to estrange the natives from cooperating with Japanese ~~XXX~~ and to try to suggest the natives to be spies against the Japanese. Under these conditions, I imposed the punishment on the natives of PETATU ISLAND and MATUGAN ISLAND.

The procedure of the Punishment on the natives of PETATU ISLAND

a. As I knew according to the report from every sentry that Australian Corps was instigating the natives in PETATU ISLAND, I despatched one squad of KAPUNE detached force to PETATU ISLAND on one night in February. This squad reported to me as follows:-

As we heard the engine of the Australian barge sound and found the fire signal between PETATU ISLAND and BUKA ISLAND, we started out. Near the jetty on the east shore of PETATU ISLAND, we met Australian Corps and fought against them, so that we lost two men. But about 500 natives in PETATU ISLAND went somewhere altogether with the Australian Corps by this time. We could not find any native there. Besides, two of the pacification unit were missing.

b. Judging from the fire signal between PETATU ISLAND and BUKA ISLAND, I doubted the acts of the natives who came to work to TELATU in BUKA ISLAND from PETATU three or four days before. So I ordered chief pacification unit Lt. GOTO to confine them altogether and investigate if they were favouring the enemy. He reported to me that they were consisted of 13 natives but one had escaped away, and they seemed to be of enemy character, so it was better for us to separate them, because if they had remained to be confined at the same place, they might have caused the riot. Therefore I confined six of them at BAKUT separately from others remaining at TELATU.

c. After that Capt. GOTO reporting to me that all six natives from PETATU ISLAND living in BECKUMATT ran away under the cover of darkness at night and at the same time I received a report from the Madahas despatched sentry that five or six natives ran away to TAYO ISLAND by their canoe during the night. Immediately after that it was reported that two natives who had been imprisoned at TARATU ran away when the place was made the target of bombardment. As I had no conclusive evidence to prove that they were hostile against us, I ordered Capt GOTO to have his eyes on them and to make a thorough investigation in to the matter. It was reported from Capt GOTO that four natives from PETATU ISLAND were scattered separately to four places, i.e. MALAGAN, KOFIRO, TARE TARE and KECCHI KECCHI and were put under supervision of officials in charge of pacification of natives.

d. From that time on the bombing by Australian planes became accurate and frequent in the vicinity of TERATSU and firing from any vessels became so accurate that fourteen or fifteen men were killed in a short period. On the other hand the military institutions which seemed unable to be discovered from overhead were destroyed by bombing one after another I ordered to make investigation to ascertain if this was done by natives' pro-enemy acts. This was followed by bombings on the ammunition dump which was completely shattered against the sky resulting in the utter destruction of it. It was reported that someone saw a figure which looked like a native on a plane when it steeped down. Another report informed us of fact that ~~ammunition dump~~ ashes of fireworks were found in the neighborhood of bombed stricken place.

One of these days at night ~~Chit~~ GOTO reported me that one native who had been imprisoned at TAKE TAKE ran away when that place was attacked most severely by the firing from enemy torpedo boats. At the same time a report was sent to us from the detachment sentry that a bonfire could be seen on the cliff of the sea-side.

e. Such being the case I ordered ~~Chit~~ GOTO to make a thorough investigation as soon as possible because I was convinced that they were surely hostile natives. Afterwards ~~Chit~~ GOTO reported me that it was proved that they were hostile natives. He sent a letter to me to inform me of the result of the investigation in detail. The summary of it was as follows:

~~Chit~~ GOTO interrogated the natives who had been imprisoned at HOKIRO in the presence of 2 or 3 Japanese soldiers. At first, they would not confess the fact. After telling them of bonfires made by natives who ran away from TAKE TAKE Island he inquired into the matter more closely. At last, being resigned to their fates they confessed that when they were on PETATSU ISLAND they got an order from Australian Army and they intruded into the Japanese area for the purpose of finding Japanese military institutions, having close contact among themselves and when they found they made the places known to planes by means of bonfire, and the damages done to our troops were entirely attributable to their spying. In that letter, the report was written in detail in a question and answer style. Taking into consideration of the situation of natives at that time and perusing ~~Chit~~ GOTO's report most carefully I discussed this matter in a most cautious way with such officers as Lt-Comdr SUZUKI, Lt-Comdr KOSUGI, Paymaster Lt Kawanishi, Paymaster Lt. YAMADA as to the punishment of the natives. After perusing his report in detail we all agreed that the natives should be put to death by shooting and I issued an order to execute them.

6. State of things leading to the execution of natives on MATSUGANS ISLAND.

a. Taking into consideration the event which occurred on PETATSU ISLAND, I issued an instruction to the effect that all natives on the islands to the west of BUKA ISLAND should be concentrated to the latter lest the natives be enticed by the Australian Army. In accordance with my instructions the natives both on POLOLAN and HETO ISLANDS immediately removed to BUKA ISLAND. However disregarding my instruction that they should be concentrated to a place called NOVA on BUKA ISLAND, the natives on MATSUGAN ISLAND removed only to TUFUSU and they showed unwillingness to carry out my instruction. This being reported to me, I issued a strict order that they should remove from there to BUKA ISLAND as soon as possible.

b. I got a report from the KAFUNE picket station informing me of the fact that the natives were doing fishing off the coast even at the times when the Australian planes were flying overhead and besides this at night bonfires could be seen quite often. On hearing this, I had the MADAGESU detachment dispatch a secret scouting party for the purpose of reconnaissance. The said party sent me a report that off the middle of the western coast of TAYOU ISLAND they found a big Australian barge carrying many natives on it.

c. Then I received a report from the ROKIA pacification party and it was made known to me that 6 natives who had come to ROKIA from MATSUGANS ISLAND for the purpose of being employed in work betook themselves to flight. Moreover several hours after this an urgent report was sent to me from the same party informing

of me that all the natives belonging to MATSUGAN ISLAND who had gathered to TUBUS were found missing before dawn.

d. When I was caught up in a train of thoughts concerning the events on PETATS ISLAND the secret storing place for fuel was bombed. This was followed by the direct bombing on the MADEBU picket station resulting in death of more than ten men. Immediately after that the only hiding place for barges at NOVA was made the target of severe bombing and we were plunged into such a miserable plight as being compelled to give up the hope of moving from there to any other places.

e. Such being the case, I issued an instruction to both the picket station and the pacification party at BUKA directing them to look up all the remaining natives on MATSUGAN ISLAND and to make a thorough investigation to find out whether they are harbouring hostility or not. After that, I got a report from the KATOME picket station as follows:-

"We have arrested two natives from MATSUGAN ISLAND they confessed that they were two of the three who had made an incursion from MATSUGAN into BUKA ISLAND and been left behind there when the other one took to his feet. Their duty was to make the locations of the Japanese posts and other sorts of places of military importance known to the Australian planes by making bonfires. It was made clear by their confession that the damages done to us by enemy forces were utterly attributable to their spying."

Convening my staff officers, I discussed the matter with them and decided that they should be executed. This was conveyed without delay by telephone to Capt GOTO, who told me in reply that he himself was at that time interrogating a native woman with others of natives from NOVA and in all probability this woman seemed to be one of the same spying party. Upon this, I was resolved to postpone the execution till the interrogation by Capt GOTO be finished as I wished to be cautious in my decision.

In the meanwhile I received a report from Capt GOTO that the said native woman was found, just like the other two native women, to be a spy sent three days ago from MATSUGAN ISLAND to BUKA ISLAND by the order of Australian Forces and arrested while she was tarrying and it was made clear by her confession that the bombings on the hiding place for barges were made possible by their guidance. After having most circumspect conference with my staff officers, I came to the conclusion that the three natives should be put to death by shooting and issued order to do so.

7. The ground for the above execution.

1. In those days, I was isolated from the HQ of the 8th FLEET. Being defeated in BORAKEN area, we were being driven back day by day. The enemy lurked close at hand and we were attacked from the air, and the sea very intensely, so that this area became the battlefield all over. This area could not be called military administration area. Under these circumstances, it was really impossible for us to have a court. As all of the natives executed by us were perfectly hostile to us whose criminal action gave fatal obstruction to our operation, it was urgently necessary to punish them in order to carry out our operation and to keep the order and peace of our unit. Next, prior to execution of natives on TETATU ISLAND, we investigated minutely, over the depositions of examining them in detail, and I recognized their criminal facts clearly. The executions of the natives in the MATSUGAN ISLAND were carried out after listening to the

criminal facts in detail from KAFUNE sentry point, and also heard from Naval Lt. GOTO about the procedure of minute interrogations of even the witnesses, and I could distinctly be aware of their criminal facts. I believe, rather extremely minute investigations under the circumstances in those days, in accordance with the legal trial. 4. Before I ordered the execution in order to exclude the prejudice called the senior officers together and reported the content of the examination of the natives in detail, asking their opinions. After due deliberation, I despatched the order of their execution.

5. The natives' acts were the crimes of war treason and espionage according to the Articles 83 and 85 of the Japanese Criminal Law and Articles 22 and 23 of the Naval Criminal Law. They deserved the sentence of death as a matter of course.

6. Moreover, under such circumstances when it was impossible to open the court and the criminal fact was proved out to be guilty after deliberate examination, I believe that I could execute them. As the crimes endangered the existence of the military force, the execution should be admitted to be the act of self-defence and self-relief.

加藤 康吉

Naval Capt. Kato Kikichi

I hereby certify that the above is a true and correct translation.

Tanaka Shigen

to [unclear]

Japanese Criminal Law (The Empire enacted the law with the
sanction of the Imperial Diet held in 1907)
was held in 1907.)

Art. 1 The law shall be applied to any person, who committed
any of the crimes, committed in the Empire, outside the Empire.

- (1) Crimes of Art. 75 and Art. 76
- (2) Crimes of Art. 77 and Art. 78
- (3) Crimes of Art. 81 and Art. 82
- (4) Crimes of Art. 83 and Art. 84

Art. 20 Those who, with the intention of benefitting the
enemy, damage or make unavailable fortresses, arsenals,
military ships, a merchant ship, weapons, ammunitions,
military stores, a train, an electric train, electric power,
a place or a thing to be supplied for military use, shall
be sentenced to death, imprisonment for life.

Art. 21 Those who act as spy for enemy or help enemy
should be sentenced to death, imprisonment for life or
imprisonment for not less than 5 years. Those who
disclose military secrets to the enemy should be sentenced
according to the above.

Naval Criminal Law (The Empire enacted with the
sanction of the Imperial Diet held in 1907)

Art. 12 Those who commit crimes of the above shall
be sentenced to death.

- (1) Omitted
- (2) To act as spy for the enemy or help enemy
of the enemy's spy.
- (3) To disclose military secrets to the enemy.
- (4) Omitted
- (5) Omitted
- (6) Omitted

Art. 23 Those who commit the following crimes with
the intention of benefitting the enemy shall be sentenced to death.

- (1) To damage a fortress, an arsenal, a military ship,
a merchant ship, weapons, ammunitions, military stores,
structures and others to be supplied for military use,
make them unavailable.
- (2) To interrupt the movement of troops, military ships
and merchant ships by damaging or blocking
land routes and bridges or by other ways.

- 7
- (3) Commander who will not hold his position with his subordinates and will leave his position with his subordinates.
 - (4) To disband troops, tempt them to disorder and stampede or disturb their contact and rendezvous.
 - (5) To cause the shortage and others to be supplied for military use.
 - (6) False conveyance of orders, informations and reports or to make false orders, informations and report.
 - (7) To invent and float a groundless rumour, or shout out or make a great noise in front of the enemy.

Translated by *Yankaloss Shiga*

REGULATION OF THE NAVAL LAND OPERATION

(Enacted by the H.M. the Japanese Emperor on Aug. 1909)

Art. 4.

All ranks of sailors of the Landing Force, under the complicated and difficult situation, after are required to take such a such a step as the occasion demands; there by each member must act smartly, sturdily, minutely, and resolutely, and be well versed in the operation instruction and apply it.

Art. 171

While guarding and stationing it is often effectual to use spies, but it is necessary to be careful that enemy, too, make use of spies.

Art. 173

It is necessary to be on the guard against hostile inhabitants, while stationing this article is to be observed and also the article concerning garrisons is to be applied.

Art. 220

In order to prevent a riot from extending it is especially important that you must endeavour not to let the cause of it invade within the garrisoned area and that if it is entered already and exists within you must drive it out and exterminate it.

I hereby certify that the above translation is true and correct.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans. 242

Lt Col NAGATOMO Yoshitada
Accused: and others(see reverse side
for other accused).Court, Place, SINGAPORE
Date and 8 Aug 46 - 16 Sep 46
Formation:

AWC No.....

Aust W.C. List Ser No.....

Charge(s)

Plea

Finding

(1)Against all accused) COMMITTING A
WAR CRIME in that they in BURMA and
SIAM between 25 Oct 42 and 1 May 44 in
the construction of the BURMA-SIAM
Railway between THANBUZZAYAT BURMA
and NINI SIAM illtreated PW thereby
causing deaths of many of them and
bodily injury damage to health and
physical suffering of many others of
the said PW.

(See reverse side)

All
accused
not guilty

Accused TANAKA T and
ISHIKURA R not guilty.
All other accused guilty
as charged except
accused OYAMA S guilty as
charged with the exception
of the words "thereby
causing deaths of many of
them and bodily injury,
damage to health and
physical suffering of
many others of the said
PW

Precis of Evidence:

(SEE ATTACHED)

Sentence	Accused	NAGATOMO Y)	Accused	HIGUCHI T)	Each to be
and Date:	"	HOSHI A)	"	MATSUZAKI M)	imprisoned
"	"	ARAI K)	"	MORISHITA K)	for life
"	"	WAKAMATSU S)	"	"	To be imprisoned
"	"	OMI T)	Accused	ARAI H)	for 20 Years
"	"	HIRAHARA M)	"	OYAMA)	To be imprisoned
"	"	KANEKO J)	"	"	for 6 years
Confirmation	"	TAKIMOTO K)			
and by Whom:					

Date of Sentences 16 Sep 46.

J. GEN V.A.H. STURDEE C.G.S. A.M.F 14.1.47.

Promulgation: SEE ATTACHED SHEET. APPENDIX "B"

Petition: Joint petitions lodged Oct 46 on behalf of all convicted accused
except accused OYAMA

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.
In the case of accused OYAMA it is considered that this accused should
be entitled to considerable clemency. In the case of accused HOSHI and
WAKAMATSU: unable to find any reason why a heavier sentence awarded than
in cases of MATSUZAKI and MORISHITA.

Action on Petition: DISMISSED 14.1.47.

Filed in Attorney-General's Department and Numbered.....

Accused (Contd)

Capt HIGUCHI Tomizo	Sgt Maj OMI, Tadashi
Lt HOSHI Aiki	Interpreter HIRAHARA, Moritsume
1st Lt MATSUZAKI, Minoru	" ISHIKURA Rikichi (Not Guilty)
1st Lt MORISHITA, Katsuharu	
Sgt Maj TANAKA Tadashi (Not Guilty)	Korean Guard KANEKO, Joroku
Korean Guard ARAI Koei	" " TAKIMOTO Koji
Capt WAKAMATSU, Shizuo	" " ARAI Hideo
	" " OYAMA, Seikyo

All members of the Imperial Japanese Army

Charges (Contd)

Charge(s)	Plea	Finding
(2) (Against accused NAGATOMO Y Only) COMMITTING A WAR CRIME in that he on or about 13 Dec 42 at THANBUYZAYAT BURMA unlawfully ordered and caused to be shot and killed Capt HARTERINK, Capt DE ROCHEMONT and Lt HERMANS	Not Guilty	Guilty
(3) (Against the accused NAGATOMO Y only) COMMITTING A WAR CRIME in that he at THANBUYZAYAT BURMA unlawfully ordered and caused to be shot and killed Sgt VAN HASSEN Pte NELISSEN and Pte NREDEVOOGD re-captured escaped Dutch PW.	Not Guilty	Guilty
(4) (Against the accused NAGATOMO Y only). COMMITTING A WAR CRIME in that he on or about 2 Mar 43 at THANBUYZAYAT BURMA unlawfully ordered and caused to be shot and killed VX57167 Gnr K.J. DICKINSON of 2/15 Fd Regt (AIF) a re-captured escaped Australian PW.	Not Guilty	Guilty
(5) (Against accused NAGATOMO Y only) COMMITTING A WAR CRIME in that he on or about 16 Mar 43 at THANBUYZAYAT BURMA unlawfully ordered and caused to be shot and killed VX73827 Spr A.J. BELL of 2/6 Fd Pk (AIF) a re-captured escaped Australian PW.	Not Guilty	Guilty
(6) (Against accused NAGATOMO Y and HIGUCHI T). COMMITTING A WAR CRIME in that they on or about 14 Dec 42 at THANBUYZAYAT BURMA were concerned and responsible for the unlawful shooting and killing of NX69005 Dvr G.M. WHITFIELD of 2/3 Res MT Coy a surrendered escaped PW.	Not Guilty	Accused NAGATOMO not guilty. Accused HIGUCHI guilty
(7) (Against accused TANAKA T only) COMMITTING A WAR CRIME in that he on or about 26 Dec 42 at 18 Kilo Work Camp BURMA unlawfully ordered and caused to be shot and killed QX13768 Sgt O'DOWNELL of 2/10 Fd Regt (AIF) an Australian PW.	Not Guilty	Not guilty

PRECIS OF EVIDENCE

1. The evidence for the prosecution consisted of a large number of documents such as diaries and reports or extracts therefrom, records kept by PW, affidavits of former PW and statements made by each of the accused. In addition to this documentary evidence verbal evidence was also given by certain former PW.

2. Each of the crimes, the subject matter of the respective charges, were committed during the construction by the Japanese Army of the BURMA - SIAM Railway. The work on the line was commenced in June 1942 and the construction was completed on 17 Oct 46. The laborers employed in the construction were PW and coolies, but the coolies are not concerned with the present charges. At the outset the complete organisation in connection with the construction was under the command of Maj Gen SASA. This officer had under his command 10 branches, seven of which were located along the line. Each group had its own commander and in turn had under its command a number of camps each of which had a camp commander. This trial concerns only Branches 3 and 5. The accused NAGAMOTO, HIGUCHI, HOSHI, MATSUZAKI, MORISHITA TANAKA and ARAI K all belonged to Branch 3 while the 8 other accused belonged to Branch 5. The control and direction of the actual work on the line was under the supervision of Japanese engineering units. Japanese Engineering units are not concerned in the charge in question. The system was for the Engineering Units to requisition for the labour required and the respective camps furnished working parties and guards to conduct them to and from their work, and to watch over them during working hours. The approximate total number of PW held in these camps was 11,000. Of these PW approximately 5000 were Australian. During the periods in question the total approximate number of PW who died from various causes was 1,500. Of the Japanese guards it was shown that during the period in question only five Japanese soldiers died. It was not disputed that all the accused as members of either 3 or 5 PW Branches were concerned in the administration of PW on the BURMA-SIAM Railway between THANBUYZAYAT and NIKI during the periods alleged in the charge sheet. Each of the accused was identified several times in person by witnesses in Court and in addition many of them were identified by photograph.

3. FIRST CHARGE AGAINST THE ACCUSED NAGATOMO The prosecution alleged that the accused as No 3 Branch Comd through his subordinates was responsible so far as it lay within his power to see that (a) PW received food sufficient in quantity kind and quality to maintain their health (b) they received adequate and proper medical supplies, (c) they were not overworked (d) sick PW were not made to work or made to undergo long arduous marches or (e) were not subjected to physical punishment by his staff or guards. It was also contended that this accused was not absolved from the responsibility of camp hygiene, accommodation, transport of the sick and the provision of clothing and footwear.

There was overwhelming evidence of the inadequacy of food supply which reflected itself in a pronounced state of malnutrition in every camp throughout practically the whole period. The accused neglected to secure foodstuffs from available Japanese sources, and it was open to the accused to secure food from local or native sources. There was some evidence to prove that there were supplies of foodstuff available and after the completion of the railway line a celebration was held and extra canteen goods (paid for with PW money) were provided to PW. There was also evidence regarding supplies of fresh meat. If a bullock was available the camp staffs took half of the carcass for their own use and the remainder was given to PW. The ratio of PW to camp staff was as high as 50 to 1. There were specific instances of maldistribution and stealing of rations. Food rations were always less than the stipulated scale and for sick PW it was reduced to 50% less than the ordinary PW ration. Diseased cattle were often provided for food consumption and PW were

compelled to eat it or go without food. Other fresh meat was provided in boxes. In the journey the boxes would be broken and the meat was frequently covered with maggots or it was green in a rotten condition. It was known that on occasions rats were eaten by PW and dogs were eaten by other PW.

There was evidence of failure to supply anything like reasonable medical supplies but this was primarily the responsibility of the accused HIGUCHI. Evidence in this connection will be summarised in respect of the charge against the accused HIGUCHI. It was however contended by the prosecution that the accused NAGATOMO must take his share of the responsibility in this regard.

There was strong evidence of the overworking of PW. Excessive hours were worked and there was a complete lack of any rest days. There was evidence to the effect that PW worked up to 36 hours per day. The accused NAGATOMO failed to see that sick PW were not made to work. The camps over which the accused NAGATOMO had jurisdiction provided the working parties for the rail construction. Conditions of camps at this time were very bad and were situated in fever belts. The sick PW increased to 50% of the total strength. The Japanese insisted that PW medical officers were protecting PW and that insufficient PW were going out with working parties. A sick parade was arranged and two Korean Guards named KATSUMI and YANI without any medical qualifications at all made an inspection and about 50% of them were ordered to work. Protests were made by PW officers but sick men were sent out daily between 0300 and 0400 hrs. These men were poorly clad and most of them were without footwear. Camp hygiene was entirely neglected and as a result dysentery became very serious and at least 50% of PW suffered from beriberi, avitaminosis and malnutrition. Later the force of PW were compelled to move to 105 Kilo Camp. With the exception of a very few sick men all PW were forced to march a distance of 40 kilos. Apart from sick PW all the men were in an exhausted condition. The rainy season had set in and the roads were almost seas of mud. PW were poorly clad and carried their gear in drenching rain. It was alleged that if the accused had tried to do so, the PW could have been transported on railway trucks. There were numerous cases of ill-treatment by Japanese officers and guards. There was, the prosecution alleged, no reason why the accused should not have exercised control over the Japanese officers and men under his command.

4. 2nd CHARGE AGAINST ACCUSED NAGATOMO - The accused admitted that the 3 Dutch PW officers were shot at the time and place referred to. A witness pleaded with the accused to defer the shooting until he (the accused) had obtained approval from higher authority. Such request was refused even though the plea was based on International law.

5. 3rd CHARGE AGAINST THE ACCUSED NAGATOMO - The facts in connection with this charge differ somewhat from the facts relating to the 2nd Charge. However the facts are not in dispute. In substance it was admitted that the accused was absent at the HQ of Gen SASA at the time of recapture of the PW. He consulted Gen SASA in regard to these PW and he took the General's orders in regard to the PW. Such orders resulted in the shooting of the three Dutch soldiers named in the charge.

6. 4th and 5th CHARGES AGAINST THE ACCUSED NAGATOMO - The facts in relation to these charges were not in dispute. ~~The three Dutch OR~~ and ~~The Australian OR~~ were shot on the orders of the accused after recapture. In both these cases the accused acted on his own discretion and without specific orders from Gen SASA.

7. 6th CHARGE AGAINST THE ACCUSED NAGATOMO

It was not disputed that NX69005 Dvr G.M. WHITEFIELD was killed by shooting at the time and place alleged. The accused was absent from his HQ when the shooting took place. He expressed approval on the action taken during his absence. Under cross-examination the accused

stated "The orders in general to all the camps and camp staff that "run away" prisoners should be shot to death - that was issued by myself in a general way".

8.1st CHARGE AGAINST THE ACCUSED CAPT HIGUCHI - It was alleged that it was the duty of this accused as a medical officer at No 3 Branch to make every possible endeavour to maintain an adequate supply of drugs medicines and surgical instruments and to ensure their equitable distribution. The accused in fact admitted that he was responsible for (a) the health and well being of PW in the Group to which he was attached namely No 3 Group (b) for maintenance of adequate supply of drugs medicines and surgical instruments (c) for arrangements of suitable transport for sick PW to camps (d) supervision to ensure that sick PW were not forced to perform work too heavy for them (e) the provision of proper living accommodation sanitation and hygiene at the camps under his command.

The prosecution alleged that there was ample evidence to support the contention that this accused failed in the extreme to carry out his duties. Considering the charge comprehensively the fact that of 9000 PW in No 3 Branch PW numbering up to 950 died of dysentery or malaria cholera, tropical ulcers and other diseases was submitted as very definite evidence of this fact. In regard to medical supplies it was contended by the defence that there was always a shortage. There was however a volume of evidence by PW that medicines were available and were not supplied. A typical example is the case of one Pte HARVEY who was suffering from rhumatic fever. Ample supplies of sodium salicylate were available within a $\frac{1}{2}$ of a mile from the hospital. It was after numerous appeals had been made to the accused to obtain supplies of this drug that the accused did go. During this week Pte HARVEY was forced to remain in agony. The accused and a Major MORI both admitted that supplies of quinine were at all times sufficient. Adequate supplies were not issued and one PW stated that on one occasion quinine was not issued to him for a period of 5 weeks.

Evidence was furnished of the appalling conditions under which PW were conveyed from work camps to hospital. A typical example of this was that sick PW were piled on top of heaps of blue metal in open railway trucks.

The accused sent sick PW to work without concerning himself with the true state of health of the PW. His customary method of inspection was by ordering PW to filepast him and no detailed examination of any kind was made. At one period the authority of PW NO's to declare PW sick was withdrawn and two Korean guards, without any medical knowledge, were detailed to decide whether PW were fit for work or not. One medical offr PW alleged that in the camp in which he was located 150 deaths were directly attributable to the forcing of PW to work. Under cross-examination the accused admitted that the main causes of death in Branch 3 was the heavy nature of the work which PW were called upon to perform.

9. 6th CHARGE AGAINST THE ACCUSED HIGUCHI - This accused was also charged with being concerned in the unlawful killing of Dvr WHITFIELD. It was alleged that the accused was the only offr empowered to order the removal of Dvr WHITFIELD from hospital for execution, and that he was present at the execution of Dvr WHITFIELD. The accused HOSHI gave evidence to the effect that it was usual for the accused HIGUCHI as NO to be present at executions.

10.1st CHARGE AGAINST THE ACCUSED HOSHI - This accused was at First Gen Affairs officer at 3 Branch and later became Camp Comd at 14 Kilo camp, 75 Kilo Camp and 105 Kilo Camp. The charge concerned only 75 Kilo camp and 105 Kilo Camp. The attitude of this accused towards PW was revealed in a speech which he admitted making to PW. Among other things the accused said that the number of sick must be reduced and that those who were sick would get no food at all. It was the main duty of the Camp Comd to ensure (a) that sick PW were not sent to work

and that hours of work for the fit were not excessive (b) that proper quantities of food was available and fairly distributed (c) that guards were not permitted to ill-treat PW. After the accused made his speech, what were called "Blitz Parades" were held, and after daily inspections sick PW were sent to work. There was ample evidence of shortage of food and even after the completion of the railway the food situation was worse. For a period of one week the food consisted of rice and salt only. One witness alleged that the accused and his staff took more than their share of the available food and obviously thrived on it. The accused failed entirely in the control of his guards and the accused ARAI known as the "Boy Bastard" was one of the worst offenders. There were many instances of cruelty for the minor offences such as failing to salute and stand to attention. For such minor offences PW were made to stand at attention for periods up to 75 hrs. If they fainted during that period they were revived with water and beaten and kicked. One PW was forced to work with an ulcer which extended over the major portion of his lower leg. As a result at the termination of hostilities he remained in hospital for 18 months and for a considerable time after that he was unable to walk. The march from 75 Kilo Camp to 105 Kilo Camp was mainly the responsibility of this accused. Witnesses for the prosecution alleged that 50% of those who marched were unfit to undertake such march. A PW named Spr RAWLINSON although he was very ill with dysentery was forced to march. He was carried nearly the greater part of the distance and as a result died some weeks later. One witness alleged that over 50% of the PW who made the march died in the next 6 months. There was reliable evidence to show that the accused sold canteen goods and medical supplies to PW at considerable profit to himself. The accused's indifference to the sick was shown in the cases of Capt WATTS who was suffering from dysentery and Pte McLELLAN who was a serious tropical ulcer case. He would not bestir himself to secure transport to take them to hospital and as a result they died. Hospital treatment might have saved their lives.

1st CHARGE AGAINST ACCUSED MATSUZAKI

This accused was originally a member of No 5 Branch and then transferred to No 1 Mobile Unit. Whilst with 5 Branch he commanded 18 and 85 Kilo Works Camps. His duties were similar to those of the accused HOSHI. The conditions of these camps were described as "very bad, very short of drinking water and practically no bathing facilities". At 18 Kilo Camp there were two outstanding occurrences of brutality namely the beating of an American PW named MORRISON resulting in concussion of the brain and the beating and torture of Sgt SHORE and Pte CAMERON. PW MORRISON was asleep in his hut early in the evening of 20 Sep 43 when a Japanese gd entered. As he did not stand to attention with other PW he was taken to the guard room and severely beaten by a number of gds. An American doctor diagnosed his condition after the beating as concussion of the brain. He was in a semi conscious condition for several days and eventually resumed work. Some few months later he died from a tropical ulcer and malnutrition. Sgt SHORE and Pte CAMERON were severely beaten and tortured by the accused TAKIMOTO. Both PW had received permission from a Japanese Engineer to go to the river for water and they were intercepted by the accused TAKIMOTO. Pte CAMERON asked for an interpreter but the accused proceeded to beat them. The Jap Engineer intervened but next morning both PW were taken to the Orderly room, and bamboo rods were tied to the back of their legs immediately behind their knees and they were made to kneel on the ground. They were savagely beaten by guards and kept in that position for over 10 hours until they became unconscious. Pte CAMERON died about two months later and it was alleged by Sgt SHORE that the beating and illtreatment accelerated his death. As in other cases sick PW were ordered to work and at one period it was alleged by a witness for the prosecution that of 915 PW there were only 100 men fit for work. Of the 915 men 800 should have been in hospital. Hours of work were excessive and PW were forced to work for stretches of up to 30 hours.

12. 1st CHARGE AGAINST THE ACCUSED MORISHITA - This accused as in the case of the accused HOSHI carried out the duties of Camp Comd. The prosecution charged MORISHITA with (a) overworking and sending sick PW to work (b) failing to control guards and preventing them from illtreating PW (c) failing to ensure proper food supply. PW were made to work up to 20 hours per day for 7 days a week. He forced men to work who were suffering from malaria and beriberi. A specific case was that of an American seaman named BIERMAN who was dangerously ill when he was sent out to work and died on his return to camp the same night. In regard to illtreatment of PW, beatings were daily occurrences. There were many instances of extreme brutality and the accused often gave direct orders for such beatings. As a result of the accused's inability to control his guards a ~~mutiny~~ ^{mob} was staged and the accused was removed from his appointment and did not return to the PW camp. There was always a shortage of food for PW but the Japanese were never short of food. The Japanese guards repeatedly stole food from PW.

13. 1st and 7th CHARGES AGAINST ACCUSED TANAKA - As to the first charge the prosecution alleged that although the conditions of the camps under his command appeared to be some what better than the others they were far short of the standard required by international law. It was further alleged that this accused was responsible for the death of Sig OAKSHOTT in that he failed to take active measures to have this PW moved to hospital by transport so that he could be given medical attention. The accused stated in his defence that he did everything possible to obtain transport. Witnesses for the prosecution stated that when the removal of OAKSHOTT by transport to hospital was requested the accused replied that OAKSHOTT probably only had "A pain in the belly" and did not require an operation. Evidence was also adduced by the prosecution showing that the accused personally conducted parades and ordered sick PW to go out on working parties. There was also a specific case where a PW suffering from a dislocated shoulder was ordered by the accused to go to work. The prosecution also claimed that the accused instructed the Korean Guards that they could "physically punish PW when they did minor wrong acts".

In regard to the 7th Charge against the accused TANAKA the prosecution alleged that Sgt O'DONNELL was taken into the jungle and shot to death. It was alleged by the defence that Sgt O'DONNELL had attempted to escape and had been badly wounded by a guard. He was brought before the accused TANAKA who stated that he was so severely wounded that there was no possibility of recovery and he then ordered two guards named TEIMOTO and SENDA to shoot "to kill" the prisoner.

14. FIRST CHARGE AGAINST THE ACCUSED ARAI K - This accused known as "The Boy Bastard" was a Japanese gd. He was under the command of the accused HOSHI. He was accused of numerous beatings of PW and was considered to be one of the most brutal guards. The accused admitted beating an officer named Capt HEST but denied other beatings as alleged. The prosecution alleged that on many occasions he struck PW with bamboos, sticks, jabbed them with his rifle butt and kicked them with heavy boots. Some specific cases of brutality are as follows. On one occasion the accused beat an Aust PW with his rifle butt and broke the PW's arm. On another occasion an Aust PW suffering from ulcers was moving along on crutches. The accused kicked the crutches away causing the PW to fall to the ground. The accused then kicked him violently on the ulcers. On another occasion the accused made a PW named STUART stand for 2 days and nights holding a rock above his head. The prosecution also alleged that on the march from 75 Kilo Camp to 105 Kilo Camp he compelled Spr RAWLINSON to complete the march and was at least in some measure responsible for the death of Spr RAWLINSON. One witness for the prosecution also alleged that the accused's behaviour on the march resulted in the deaths of about 20 PW.

15. FIRST CHARGE AGAINST THE ACCUSED WAKAMATSU - This accused was 2 i/c of 5 Branch Work Camp at 18 Kilo Camp. He also commanded other work camps. It was admitted by the accused that it was his duty to (a) control his subordinates and Korean gds (b) co-operate with the railroad construction unit for the supply of PW labour. Conditions in camps controlled by the accused grew steadily worse until the climax was reached at 100 Kilo Camp which earned the name of Death Valley. The accused admitted that rations laid down were regularly received but the prosecution adduced evidence to the effect that PW did not receive anything like their entitlements. Evidence was given by Japanese Major MIZUTANI of Gen SASA's HQ that the Branch commanded by the accused WAKAMATSU was never short of rice, and that beans and peas were in abundance. He further stated that the Branch had full authority to purchase supplementary rations from local sources. The prosecution charged this accused with (a) administering physical beatings and assaulting PW (b) forcing sick PW to work (c) withholding and wrongfully disposing of medical supplies. In regard to the beatings and assaults the accused stated that they were light face slappings but the injuries alleged to have been sustained by PW disproved this. Several victims of this accused's brutality subsequently died but there was no direct medical evidence to prove that the beatings were the actual cause of death. There was ample evidence of sick PW having been forced to work. The example set by the accused WAKAMATSU was followed by the accused HIRAHARA. There was evidence to show that HIRAHARA indulged in what can be briefly described as a "drug racket". There was no direct evidence to show that the drugs and medicines held by HIRAHARA were stolen from PW but the lack of medicines and drugs available made this a logical inference. In a statement made by this accused he said "At the time I was following instructions in beating PW and in treating them cruelly. I now realise that I was wrong and I am prepared to take any punishment that may be dealt out to me."

16. 1st CHARGE AGAINST THE ACCUSED ISHIKURA - This accused was known as "TURTLENECK" and was an interpreter under the command of WAKAMATSU. The principal matter alleged against this accused was that he participated in or ordered a number of beatings and that he was instrumental in sending sick PW to work.

One MIZUTANI further stated that there was an abundant supply of medicines at the Branch. The prosecution alleged that the issue made by the accused was negligible and the prosecution submitted that the accused's action in withholding these supplies amounted to criminal negligence. The accommodation was hopelessly inadequate. To give one example 400 PW were compelled to live in one hut which on Japanese Army standards was only meant to accommodate 200. This accused, it was further alleged personally participated in beatings and the Japanese soldiers under his command were also responsible for many beatings. There is at least one instance where beatings proved fatal to 3 American soldiers. Of 2000 PW under the control of the accused WAKAMATSU, on his own admission 400 died as a result of the work they were compelled to do. Expressions by PW doctors as to fitness of PW to work was entirely disregarded by the accused.

17. FIRST CHARGE AGAINST THE ACCUSED OMI - This accused was 2 i/c to the accused WAKAMATSU. The accused OMI beat PW with great savagery and the deaths of several PW was indirectly the result of such beatings. Guards serving directly under OMI severely beat PW on orders from him.

18. FIRST CHARGE AGAINST THE ACCUSED HIRAHARA - The prosecution alleged that this accused was an office orderly attached to No 5 Branch. He was educated in Christian principles and was a member of the Korean Civil Service. He often acted as an interpreter. In one particular case the accused gave orders for and supervised a severe beating of a man named SHORE. Subsequently the accused ordered SHORE to kneel for an hour with a bamboo pole tied behind his knees. During approximately

an hour SMORE was beaten into unconsciousness by guards. He was in hospital for 3 days as a result thereof. It was alleged that the general attitude of the accused towards sick PW was that they were a liability to be disposed of and thus leave more food for men able to work. One witness for the prosecution expressed the opinion that the accused was responsible for many American deaths on the BURMA side of the railway.

19. 1st CHARGE AGAINST THE ACCUSED KANEKO - This accused was generally known to PW as "MUKAN BAGOES" or "MUKAN". He performed duties as a guard and in the cookhouse. Over the period in question he savagely attacked and beat many PW and he assisted other guards in beatings. The prosecution alleged that at least 5 deaths were partly caused or hastened by the brutality of this accused. In Jun/July 43 one Lt HAMPTON was beaten by the accused with a bamboo pole and he was unable to work again. He died on 31 Jul 43. There were other cases of this nature resulting in deaths. A seaman named GODFREY died on 6 Oct 43 due to strain caused by torture and punishment inflicted by the accused and other guards. This PW was suffering from dysentery and was unable to perform his share of work. He was compelled to hold a rock weighing about 25 lbs above his head from 30 to 45 minutes. There was evidence of countless beatings by the accused and are too numerous to detail. The accused, in a statement, admitted beating and kicking PW and said (inter alia) "I will accept any punishment I get".

20. FIRST CHARGE AGAINST THE ACCUSED WAKIMOTO - This accused was a Korean and served under the accused MATSUZAKI later under the accused WAKAMATSU. It was alleged that this accused struck PW with his fists rifle butt and bamboo sticks. He struck a PW across the ears with his fists, and the man was permanently deafened. He participated in the beating of Lt HAMPTON who died shortly after. He also participated in the attack on the American named MORRISON which caused the PW to suffer concussion of the brain. One witness for the prosecution alleged that the accused gave many bad beatings and 500 beatings are considered a conservative estimate.

21. FIRST CHARGE AGAINST THE ACCUSED ARAI Video - This accused was known as "OLLIE" or "ALLIE". He was a powerfully built man and a one time amateur boxer in JAPAN. The main charge against this accused is that of causing or contributing to the death of an American PW named GRAY. In July 43 GRAY was suffering from a large tropical ulcer on his leg and could hardly stand up. He was resting after dinner and the accused made him stand at the position of attention while he savagely attacked him with his fists and rendered him unconscious. GRAY died on 12 Sep 43. It was also alleged that this accused practically beat another PW to death with his fists. The accused admitted beating PW.

22. FIRST CHARGE AGAINST THE ACCUSED OYAMA - This accused's ^{main} duties were miscellaneous and he acted as PW guard at 80 Kilo Hospital. This hospital was most inadequate and housed up to 300 patients and the charge against the accused concerns his duties at the Hospital. There were three specific matters alleged against him. Firstly he administered beatings to the medical orderlies at the hospital, secondly he beat an American PW named KOELLING suffering from tropical ulcers, and thirdly beating sick PW. In regard to the orderlies the accused frequently beat them and Capt DANLER of Royal Netherlands East Indies Army alleged that some orderlies died subsequently. The beatings tendered to lower their resistance which was poor and was a contributing factor towards their deaths. The American PW KOELLING was suffering from a tropical ulcer and he was beaten by OYAMA and another guard. The American was seriously ill and his death followed shortly after. It was alleged that in the low condition of health of the PW such beating would accelerate his death. Sick PW were frequently beaten by OYAMA. The accused either used his hands or sticks.

23. All the accused gave evidence in their defence. Generally it was contended that the construction of the railway was carried out on orders from superior authorities and that the persons charged were

carrying out such orders in all its conditions. The unusually large number of deaths was attributed to the nature of the climate and were unavoidable. The shortage of food drugs medicines and clothing was not the fault of the accused who merely constituted camp staff. If they did not get these supplies the accused could do nothing further about it. It was admitted that sick PW were compelled to work but the accused were merely carrying out superior orders, that all PW were to be made to work and that the construction of the railway was a strategic plan which had to be carried out at all costs. In regard to accommodation it was claimed that the numbers of PW involved made it almost impossible to provide suitable conditions. In regard to illtreatment of PW the defence was in substance a general denial that beatings and tortures took place.

A P P E N D I X B

Confirmation of finding and sentence promulgated to each accused as follows :-

Lt Col	NAGATOMO	Yoshitada	on the 15-9-47 and executed on 16-9-47 at CHANGI
Capt	HIGUCHI	Tomizo	" " 24-2-47
Lt	HOSHI	Aiki	" " 24-2-47 " " " 25-7-47 " "
1st Lt	MATSUZAKI	Minoru	" " 26-2-47
1st Lt	MORISHITA	Katsuharu	" " 26-2-47
Kor Gd	ARAI	Koei	" " 24-2-47 " " " 25-2-47 " "
Capt	WAKAMATSU	Shizuo	" " 29-4-47 " " " 30-4-47 " "
S/M	OMI	Tadashi	" " 24-2-47 " " " 25-2-47 " "
Int	HIRAHARA	Moritsune	" " 24-2-47 " " " 25-2-47 " "
Kor Gd	KANEKO	Joroku	" " 24-2-47 " " " 25-2-47 " "
"	TAKIMOTO	Koji	" " 24-2-47 " " " 25-2-47 " "
"	ARAI	Hideo	" " 26-4-47
"	OYAMA	Seikyo	" " 26-4-47

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Cms. 243

Accused: Lt-Gen HARADA Kumakichi
Lt-Col MASUGI Kazuo
Lt-Col HARA Kenji
Lt ONIKURA Sukemasa
Sgt-Maj NAKAGAWA Masao
Court, Place and Date of Formation: SINGAPORE
14 Oct 46-25 Oct 46

AWC No.....

Aust W.C. List Ser No.....

Charge(s)

Plea

Finding

COMMITTING A WAR CRIME in that they at or near TANDJONG PRIOK JAVA on 5 Feb 45 in violation of the laws and usages of war were concerned in the unlawful killing of F/Sgts Ryan, Brown and Vetter of the Royal Australian Air Force then Australian PW held by the Japanese Armed Forces

All
accused
not
guilty

All accused guilty as charged except the words "between 28 Jan and 6 Feb 1945 are substituted for the words 5 February 1945"

Precis of Evidence: (1) The deceased were members of the Royal Australian Air Force and had set out on a mine laying and reconnaissance mission from Darwin. They were making the journey in a Catalina Flying Boat when it crashed into the sea off the coast of Macassar and the three deceased were captured by the Japanese. The accused HARADA was GOC 16 Japanese Army and as such was also C in C Japanese Armed Forces Java. The accused MASUGI was Staff Officer, Intelligence, on the HQ of the accused HARADA. The accused HARA was chief of the Judicial Department of 16 Japanese Army under the direct control of the accused HARADA. The accused ONIKURA was a Judicial Lt under the command of the accused HARA. The accused NAKAGAWA was a warder in a military prison attached to HQ 16 Japanese Army and situate in Batavia. 2. It appears that the three deceased were captured by the Japanese Navy and handed over to HQ 16 Japanese Army. The accused MASUGI arranged for the interrogation of the deceased by one Capt TOMITA NOZOMU and subsequently TOMITA reported the result of his interrogation to the accused MASUGI and (over)

Sentence and Date: Accused HARADA K.) EACH TO SUFFER DEATH BY HANGING
" MASUGI K.)
" HARA K. TO BE IMPRISONED FOR 15 YEARS
" ONIKURA S. TO BE IMPRISONED FOR 10 YEARS
" NAKAGAWA M. TO BE IMPRISONED FOR 7 YEARS

Confirmation and by Whom: LT GEN V.A.H. STURDEE C.G.S. A.M.F. 14.1.47.
Sentence passed on LT COL HARA HENTI not confirmed

Promulgation: Confirmation of findings and sentences promulgated to HARADA on the 24/5/47 executed on the 28/5/47, ONIKURA on the 9-6-47 MASUGI .. 24/5/47 .. 24/5/47, NAKAGAWA .. 24-5-47

Petitions lodged Nov 46 on behalf of the accused HARADA & MASUGI against finding and sentences.

J.A.G.'s Report on Petition: Confirm finding and sentences in the case of all accused (except accused HARA) and dismiss petitions and that the finding and sentence in the case of Accused HARA be not confirmed as it is considered there is not sufficient evidence to justify conviction.

Action on Petition: DISMISSED 14.1.47

Filed in Attorney-General's Department and Numbered.....

stated that in view of the nature of the mission of the deceased there was no need to treat the deceased otherwise than as ordinary PW. The accused MASUGI reported accordingly to the accused Lt-Gen HARADA and advised that it would be difficult to keep the deceased segregated from the other PW. The accused Lt-Gen HARADA then gave orders for the immediate execution of the three deceased. The accused MASUGI passed the order to the accused HARA. The deceased were not subjected to any trial whatsoever and were not charged with any alleged offence. In fact the accused Lt-Gen HARADA told the accused MASUGI to dispense with any Court Martial and to execute the three airmen as secretly as possible so that there would not be any complications afterwards. The accused MASUGI in addition to telling the accused HARA to arrange for the execution instructed one Maj OSADA TATSURA of 16 Japanese Army Medical Department to be present at the execution in his capacity as Medical Officer. Maj OSADA then applied to accused HARA for permission to use the judicial Departments execution ground and such permission was granted. A discussion between the accused HARA and ONIKURA and Maj OSADA then took place. Accused ONIKURA (who was a subordinate of the accused HARA, and also held appointments of Judicial Officer, Court Martial Prosecuting Officer, and commandant of the Court Martial prison) pointed out that it would be illegal and would be a War Crime if the deceased were executed without a Court Martial. Maj OSADA told the accused ONIKURA that the order for execution was a secret Army order and should not concern himself about it. The accused HARA laughed at the suggestion made by the accused ONIKURA. The accused ONIKURA then took charge of the deceased and with the execution party took them to the place appointed. Maj OSADA followed. (.) A grave had already been dug and the deceased were executed by beheading with a sword. The executioner was the accused NAKAGAWA. A witness alleged that the accused NAKAGAWA actually volunteered for the job as executioner. The prosecution also contended that the accused NAKAGAWA had previously been informed that the executions were illegal. Maj OSADA was the senior officer present at the execution but the accused ONIKURA was actually in charge of the party and gave the final orders for the execution. After the executions Maj OSADA pronounced life extinct and the bodies of the deceased were buried in the grave. The prosecution alleged that all the accused were well aware or should have been aware that the deceased had not committed any offences for which they were liable for execution and that there had been no judicial trial.

3. The defence alleged that the accused Lt-Gen HARADA had ordered the accused MASUGI to deal with the deceased in a legal manner and that the accused MASUGI erroneously assumed this order to mean the execution of the deceased. In regard to the accused HARA it was alleged that he was absent from the locality at the time of execution and he had heard nothing regarding the deceased, had received no orders regarding them and had not even received any reports relating to their execution. In regard to the accused ONIKURA the defence alleged that he was not in charge of the execution party and his presence at the scene was brought about by another execution at which he was a mandatory witness. If it was believed that he was in charge of the execution party it was submitted that he was then carrying out orders of superiors. In regard to the accused NAKAGAWA it was admitted that he in fact executed the deceased but it was claimed that he was carrying out orders which he could not disobey.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)R. 173 *Ans 248*AWC No. 2314

Accused: Lt-Gen ADACHI Hatazo

Aust W.C. List Ser No.....

Court, Place, Rabaul 8,9, 10,11,14,15,16,17,18,22,23 Apr 47
Date and 8th Military District.
Formation:

Charge(s)	Plea	Finding
Committing a war crime, that is to say a violation of the laws and usages of war in that he between November 1942 and Sep 1945 being a Commander of Japanese armed forces in New Guinea at war with the Cmlth of Aust and its allies, unlawfully disregarded and failed to discharge his duty as such Comdr to control the conduct of the members of his Command whereby they committed brutal atrocities and other high crimes against the people of the Cmlth of Aust and its allies.	Not guilty	Guilty

Precis of Evidence: 1. The greater part of the evidence for the prosecution was ~~documentary~~, whilst verbal evidence was given by Subedar CHINT SINGH who was a former Indian PW. The documentary evidence was evidence which had been given a previous individual war crimes trials at Rabaul. The substance of the evidence was to the effect that during the period Nov 42 to Sep 45 the accused was in command of units whose officers and men had committed brutal atrocities in the New Guinea area.

2. It was shown by means of a signed statement from the accused himself that he was in command of all troops in the New Guinea area during the time the atrocities were committed.

3. The statements produced show that officers and men under his command were responsible for the death of 64 Indian PW. These PW were executed, such executions being in way of a punishment for some alleged offence. Statements have also been produced to show that men under his command were responsible (PTO)

Sentence
and Date: To be imprisoned for lifeConfirmation
and by Whom: Maj-Gen W.M. ANDERSON Adj-Gen. AMF. 27/6/47.Promulgation: *Promulgated to the accused on 12-7-47.*

Petition: Lodged by the accused on 23 Apr against the finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss the petition

Action on Petition: Dismissed 27/6/47.

Filed in Attorney-General's Department and Numbered.....

for the ill-treatment of Indian PW in most cases resulting in their death, ill-treatment and death of Chinese PW due to privation, lack of food and beatings; the ill-treatment of natives of New Guinea, the murder of Australian soldiers, and the mutilation of the bodies of Australian and American deceased PW.

4. The accused gave evidence in his defence stating that the Indian and Chinese soldiers were not prisoners of war but labourers, and that the alleged atrocities occurred in areas over which he had no control

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

Sgt MATSUSHIMA Tozaburo
 Sup Pte AIYZAWA, Harimoto
 Civilians HAYASI, Najime
 " KIOHARA, Takeo
 " OKABAYASHI Eikyu
 Accused: " YANAGAWA Uetane
 " SHIMURA, Yuzo
 Court, Place, RABAU Civilian FURUYA Eisuke
 Date and 10-16 Apr 46 " TAKABAYASHI Tsuruichi
 Formation: 8 MD

AWC No. 2910, 2651, 2683, 2913
 2685, 2914, 2911, 2912, 2684.
 Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
1. MURDER AT RABAU about 3 Mar 43 of 24 Chinese PW.	NOT GUILTY	
2. MURDER AT RABAU about 11 Mar 43 of 6 Chinese PW.	NOT GUILTY	All accused guilty of both charges.

Precis of Evidence: In March 1943 about 800 Chinese PW were camped at Rabaul. A considerable number were sick. Evidence was given by three Chinese officers supported by written statements of eleven other Chinese that on each of the days mentioned in the two charges, the accused came to where the Chinese were encamped forced some of them to dig a mass grave and then selected on the first occasion 26 of the sick Chinese and on the second occasion six out of the remaining sick Chinese, had them conveyed to the grave, forced them into it and there shot them with rifles and pistols except two out of the twenty six who escaped on the way. Each of the accused on each occasion took turns at shooting at the Chinese. The shooting was witnessed by the prosecution witnesses. Accused AIYZAWA admitted he shot the sick Chinese but alleged the act was approved by the Chinese officers and that none of the other accused took part in or were present at the time of either shooting. The other accused who, except(Over)

Sentence and Date: DEATH BY HANGING
 16 Apr 46

Confirmation and by Whom: Chief of General Staff - Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to accused on 16 Jul 46.

Petition: Petitions lodged by all accused against finding and sentence Apr 46.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (Contd)

MATSUSHIMA, were Formosan laborers denied any knowledge of the shooting but they were each identified in court by the Chinese officers as participants in both sets of murder.

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2048
2058

Accused: Lt-Comd SUZUKI Naomi
Lt NARA Yoshio

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 26 Apr 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at Ocean Island on or about 20 Aug 45 of FALAILIVA, Ueanteiti and other persons unknown.	Not guilty	Both accused guilty.

Precis of Evidence: The case for the prosecution consisted of the oral evidence of a native witness named KABANARE (the sole survivor of approximately 200 natives employed by the Japanese on Ocean Island), a statement in writing made by him and interrogations of the accused SUZUKI and NARA which were reduced to writing. At the trial it was admitted, in substance that the executions of these natives took place on or about the 20 Aug 45 pursuant to the orders of the accused SUZUKI. He admitted giving orders to his 4 Company Commanders that they were to shoot all the natives on the island. The reasons given by the accused SUZUKI for these mass executions were to the following effect

- (a) Rumours of the defeat of Japan had been received and as the Japanese on the Island had decided to fight to a finish the natives would be a hindrance.
(P.T.O. for remainder)

Sentence and Date: Death by hanging. 26 Apr 46.

Confirmation and by Whom: Findings confirmed. Sentence in case of accused SUZUKI confirmed. Sentence in case of NARA commuted to imprisonment for 20 years and confirmed as commuted. Lt-Gen.V.A.H. STURDEE.

Promulgation: Confirmation of finding and sentences in case of SUZUKI and finding and sentence as commuted in the case of NARA promulgated to accused 30 July 46.

Petition: Lodged May 46 by both accused.

J.A.G.'s Report on Petition: Accused SUZUKI - confirm finding and sentence and dismiss petition. Accused NARA - confirm finding and commute sentence to long term of imprisonment.

Action on Petition: Petition of accused SUZUKI dismissed. Petition of accused NARA upheld in so far as sentence only is ~~confirmed~~ **Confirmed**.

Filed in Attorney-General's Department and Numbered.....

- (b) The receipt of an order from one Rear Admiral SHIBAZAKI KEIJI to fight to the finish and as the natives were likely to cause trouble to execute them.

2. The accused NARA in his interrogation (which was reduced to writing and put in evidence) admitted in effect that he remembered the accused SUZUKI, giving orders to shoot the natives but that he was not present when the orders for the executions were given by the accused SUZUKI to his Company Commanders. With the assistance of Petty Officers he (NARA) assembled the natives and divided them into groups and they were then led away. The witness for the prosecution, KABANARE, admitted that he did not see NARA with any of the parties when they moved off. The accused SUZUKI stated that the accused NARA was not present at the time and place of execution but that he was in his office.

7

Medical
Killing of sick
people

7

DPW(AG13(2a))/WMcL/NA.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2641

Accused: Lt UETOGE, Konosuke

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 24 & 25 April 46
Formation: 8 MD

Charge(s)	Plea	Finding
Murder at KOKOPO on or about 3 Apr 43 of Pte YEH FONG CHIEN, Pte WONG CHUAN, Pte CHANG BAN DANG, Pte CHEN DZAI CHUN, Pte MEI YU MOW, Pte LIU HWA, Pte LEE MING YU, Pte DJU MU SHEN, Pte CAEN GZAY, Pte HANG BAI REN and Pte WONG SWEI YU members of the Chinese Army	Not Guilty	Guilty

Precis of Evidence: Evidence was given against the accused by one Chinese officer three Chinese NCO's and a Chinese civilian (PW in Japanese hands) to the effect that the accused in company with two other Japanese soldiers and two Formosans came to the Chinese quarters and asked how many sick people were there. He was told by the Chinese officer that there were 11 with light illnesses. The accused who was speaking through an Interpreter said the sick men were to be moved to hospital. They were told to come outside and as they did not hurry the accused said "Hurry up or I will kill you here". The sick men were marched away and the witnesses for the prosecution followed and took up a position where the accused and his party could be observed. From a point about 20 paces distant they observed the deceased executed either by shooting or decapitation and that the accused took part in such executions. The defence of the accused was that he took no part in the executions but that he merely paraded the deceased for the purpose of their removal to hospital. (Over)

Sentence and Date: Death by hanging
25 Apr 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 12 Aug 46. Accused executed by hanging at Rabaul on 13 Aug 46.

Petition: Petition lodged May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

DPW(AG13(2a))/WMcL/NA.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Quo 169

AWC No. 2641

Accused: Lt UETOGE, Konosuke

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 24 & 25 April 46
Formation: 8 MD

Charge(s)	Plea	Finding
Murder at KOKOPO on or about 3 Apr 43 of Pte YEH FONG CHIEN, Pte WONG CHUAN, Pte CHANG BAN DANG, Pte CHEN DZAI CHUN, Pte MEI YU MOW, Pte LIU HWA, Pte LEE MING YU, Pte DJU MU SHEN, Pte CAEN GZAY, Pte HANG BAI REN and Pte WONG SWEI YU members of the Chinese Army	Not Guilty	Guilty

Precis of Evidence: Evidence was given against the accused by one Chinese officer three Chinese NCO's and a Chinese civilian (PW in Japanese hands) to the effect that the accused in company with two other Japanese soldiers and two Formosans came to the Chinese quarters and asked how many sick people were there. He was told by the Chinese officer that there were 11 with light illnesses. The accused who was speaking through an Interpreter said the sick men were to be moved to hospital. They were told to come outside and as they did not hurry the accused said "Hurry up or I will kill you here". The sick men were marched away and the witnesses for the prosecution followed and took up a position where the accused and his party could be observed. From a point about 20 paces distant they observed the deceased executed either by shooting or decapitation and that the accused took part in such executions. The defence of the accused was that he took no part in the executions but that he merely paraded the deceased for the purpose of their removal to hospital. (Over)

Sentence and Date: Death by hanging
25 Apr 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 12 Aug 46. Accused executed by hanging at Rabaul on 13 Aug 46.

Petition: Petition lodged May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/WMcL/NA.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Qm 169

AWC No. 2641

Accused: Lt UETOGE, Konosuke

Aust W.C. List Ser No.

Court, Place, RABUL
Date and 24 & 25 April 46
Formation: 8 MD

Charge(s)	Plea	Finding
Murder at KOKOPO on or about 3 Apr 43 of Pte YEH FONG CHIEN, Pte WONG CHUAN, Pte CHANG BAN DANG, Pte CHEN DZAI CHUN, Pte MEI YU MOW, Pte LIU HWA, Pte LEE MING YU, Pte DJU MU SHEN, Pte CAEN GZAY, Pte HANG BAI REN and Pte WONG SWEI YU members of the Chinese Army	Not Guilty	Guilty

Precis of Evidence: Evidence was given against the accused by one Chinese officer three Chinese NCO's and a Chinese civilian (PW in Japanese hands) to the effect that the accused in company with two other Japanese soldiers and two Formosans came to the Chinese quarters and asked how many sick people were there. He was told by the Chinese officer that there were 11 with light illnesses. The accused who was speaking through an Interpreter said the sick men were to be moved to hospital. They were told to come outside and as they did not hurry the accused said "Hurry up or I will kill you here". The sick men were marched away and the witnesses for the prosecution followed and took up a position where the accused and his party could be observed. From a point about 20 paces distant they observed the deceased executed either by shooting or decapitation and that the accused took part in such executions. The defence of the accused was that he took no part in the executions but that he merely paraded the deceased for the purpose of their removal to hospital. (Over)

Sentence and Date: Death by hanging
25 Apr 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 12 Aug 46. Accused executed by hanging at Rabaul on 13 Aug 46.

Petition: Petition lodged May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

Precis of Evidence (continued)

Evidence of a witness named Cpl NAKAIDE YOSHIKAZU was also called for the defence. This witness alleged that he in company with two other Japanese soldiers (now deceased) and two Formosans (whose names he does not know) carried out the executions. The evidence of this witness was vague and opposed to the evidence of the five Chinese called on behalf of the prosecution. It was submitted for the prosecution that the witness NAKAIDE (called for the defence) was shielding the accused. The Court was asked to infer from the evidence of the Chinese witnesses called in rebuttal of the evidence of the witness NAKAIDE that NAKAIDE's only knowledge came from what others had told him.

Common action!

7 death sentences for
torturing one victim &
death:

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R67 Aug 46

Paymaster WO HATAKEYAMA, Yosutaki, Eng PO AWC No. 2045, 2043, 2044, 2038
TORIWUMI Tomeo, Paymaster CPO TOMINGA Gorozi 2042, 2041, 2040, 2039
Accused: Navy CPO SANO Takeo, Paymaster CPO ITO, Aust W.C. List Ser No.
Horoshi, Paymaster CPO SASAKI, Hazuma, Paymaster CPO CHIBA, Tsuneo
Paymaster 1st Cl. SATO Heibei (Not guilty).
Court, Place, RABUL
Date and Formation: 1 & 2 May 1946
8 MD.

Charge(s)	Plea	Finding
MURDER at NAURU Is. on or about 3 Dec 44 of a Chinese civilian NG LEE.	Not guilty	All accused guilty except SATO Heibei not guilty.

Precis of Evidence: The deceased NG Lee was employed by the Japanese at Nauru Is. as a gardener and the defence alleged that he was suspected of stealing pumpkins. He was tied to a phosphate basket and very cruelly beaten. He was then pushed into a well and forced to remain there for a period of about fifteen minutes. He was taken from the well and again tied up and cruelly beaten with a carrying pole. Whilst being beaten on the second occasion boiling water was poured over the legs of the deceased. This cruel treatment resulted in the death of the said N.G LEE. The accused HATAKEYAMA admitted beating the deceased. He stated that he did not intend to kill the deceased but considered that the theft of food was a serious matter and warranted severe punishment. With the exception of the accused SATO Heibei the other accused admitted having beaten the deceased.

Sentence All guilty accused sentenced to death by hanging.
and Date: 2 May 46.

Confirmation Findings and sentences confirmed by Lt-Gen V.A.H. Sturdee 23 Jul 46.
and by Whom:

Promulgation: 14 August 1946 (accused HATAKEYAMA, Y. TORIWUMI, T. and TOMINAGA, G. executed at Rabaul 17 Aug 1946. Accused SANO, T. ITO, H. SASAKI, H. and CHIBA, T. executed at Rabaul on 21 Aug. 46).

Petition: Petitions submitted by all convicted accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

AUS. 237.

AAF A117(a)

AUSTRALIAN MILITARY FORCES

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: S/M SHOJI Kuraji & others
(see schedule attached headed "List of Aust W.C. List Ser No.....
Accused Charged")

Court, Place, LABUAN

Date and 22, 23, 24, 25, 26, 28, 29, 30 & 31 Jan 46

Formation: 9 AUST DIV

Charge(s)	Plea	Finding
VIOLETION OF THE LAWS AND USAGES OF WAR in that they at KUCHING between 15 May 1942 and 12 Sep 1945 when members of the Borneo Prisoner of War & Internee Guard Unit engaged in guarding prisoners namely prisoners of war and internees did frequently assault and cruelly beat certain of the said prisoners in violation of the Laws & Usages of War.	All accused - Not Guilty	Accused TAKEDA, J. OKAMURA, Y. and FUKUSHIMA not guilty. Remaining accused guilty.

Precis of Evidence:

(See attached Precis)

Sentence and Date:

S/M SHOJI Kuraji	TO BE IMPRISONED FOR	ONE YEAR	-	31 Jan 46
S/M MATSUTAKA Katsushi	"	"	"XSEVEN YEARS-	"
Sjt KOGO Shigeru	"	"	"XTWENTY "	"
Sjt ASAKUSA Katsuji	"	"	"XFIFTEEN "	"
Interpreter Lt INAGAKI Tetsuo	"	"	"XTEN "	"
Interpreter Lt KUBO Akihiko	"	"	"XLIFE	"
Grd NAGATA Tomio (alias KYOGAWA)	"	"	"XFIFTEEN "	"
Grd KYOSE Norisuke	"	"	"XTEN "	"
Grd MATSUDA Takeishi	"	"	"XFIFTEEN "	"
Grd OKAMOTO Keimei	"	"	"XFIFTEEN "	"
Grd ISHIMOTO Yoshio	"	"	"XFIFTEEN "	"
Grd TSUDA Seiji	"	"	"XTEN "	"
Grd FUJIMOTO Yoshio	"	"	"XTHREE "	"
Grd TAGAWA Nobuyuki	"	"	"XTEN "	"
Grd SUZUKI Noboru	"	"	"XFIFTEEN "	"
Grd YASUMOTO Yoshio	"	"	"XTWENTY "	"
Grd HAYAMA Takeo	"	"	"XTEN "	"
Grd MATSUDA Buichi	"	"	"XSEVEN "	"
Grd ISHII Hideo	"	"	"XFIFTEEN "	"
Grd TAKAMURA Shoji	"	"	"XTEN "	"
Grd TOKUDA Masatake	"	"	"XFIFTEEN "	"
Grd MATSUBAYASHI Takeo	"	"	"XTEN "	"
Grd TAKAMI Tsuneo	"	"	"XFIVE "	"
Grd KIMURA Seiji	"	"	"XFIFTEEN "	"
Grd NAGAYOSHI Seichi	"	"	"XTHREE "	"
Grd KAWAMURA Katsuo	"	"	"XTEN "	"
Grd KANEKO Shigemori	"	"	"XFIFTEEN "	"
Grd IMAGAWA Masamune	"	"	"XTWELVE "	"
Grd KATO Tadao	"	"	"XFIFTEEN "	"

Sentence and Date (continued)

Grd FUJIMURA Shigeru	TO BE IMPRISONED FOR	TEN YEARS	-	31 Jan 46
Grd TAKENAGA Shigematsu	"	"	" X FIVE "	"
Grd KOBAYASHI Teruo	"	"	" X TWELVE "	"
Grd NAGAMURA Eiki	"	"	" X SEVEN "	"
Grd KASAMA Eiji	"	"	" X SEVEN "	"
Grd OKOBAYASHI Takemitsu	"	"	" X FIFTEEN "	"
Grd FUJITA Yoshio	"	"	" X THREE "	"
Grd TOMIBAYASHI Teruo	"	"	" X THREE "	"
Grd YOSHIDA Koichi	"	"	" X SEVEN "	"
Grd OKAMOTO Shozo	"	"	" X THREE "	"
Grd SIGIYAMA Seiichi	"	"	" X TEN "	"
Cpl KOIKE Yasushi	"	"	" X TEN "	"
S/M SHIMIZU Kanji	"	"	" X SEVEN "	"

Confirmation

and by Whom: Confirmed by Lt Gen V.A.H. Sturdee - 2 Apr 46

Promulgation: Confirmation of finding and sentences promulgated to each convicted accused on 13 Apr 46.

Petition: Joint petition lodged Feb 46 on behalf of all convicted accused against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and mitigate all sentences of those accused sentenced to over 3 years imprisonment to terms of imprisonment for 3 yrs.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

LIST OF ACCUSED CHARGED

S/M	SHOJI Kuraji
S/M	MATSUTAKA Katsushi
Sjt	KOGO Shigeru
Sjt	ASAKUSA Katsuji
Interpreter Lt	INAGAKI Tetsuo
Interpreter Lt	KUBO Akihiko
Grd	NAGATA Tomio (alias KYOGAWA)
Grd	KYOSE Norisuke
Grd	MATSUDA Takeishi
Grd	OKAMOTO Keimei
Grd	ISHIMOTO Yoshio
Grd	TSUDA Seiji
Grd	FUJIMOTO Yoshio
Grd	TAGAWA Nobuyuki
Grd	SUZUKI Noboru
Grd	YASUMOTO Yoshio
Grd	HAYAMA Takeo
Grd	MATSUDA Buichi
Grd	ISHII Hideo
Grd	TAKAMURA Shoji
Grd	TOKUDA Masatake
Grd	MATSUBAYASHI Takeo
Grd	TAKAMI Tsuneo
Grd	KIMURA Seijiro
Grd	NAGAYOSHI Seiichi
Grd	KAWAMURA Katsuo
Grd	KANEKO Shigemori
Grd	IMAGAWA Masamune
Grd	KATO Tadao
Grd	FUJIMURA Shigeru
Grd	TAKENAGA Shigematsu
Grd	KOBAYASHI Teruo
Grd	NAGAMURA Eiki
Grd	KASAMA Eiji
Grd	OKOBAYASHI Takemitsu
Grd	FUJITA Yoshio
Grd	TOMIBAYASHI Teruo
Grd	YOSHIDA Koichi
Grd	TAKEDA Jiro (Not Guilty)
Grd	OKAMURA Yoshiaki (Not Guilty)
Grd	OKAMOTO Shozo
Grd	SIGIYAMA Seiichi
Grd	FUKUSHIMA Kenji (Not Guilty)
Cpl	KOIKE Yasushi
S/M	SHIMIZU Kanji

- - - - -

PRECIS OF EVIDENCE

1. There were 45 accused presented on the charge referred to and they were members of the Borneo PW & Internee Guard Unit of the Japanese Army. Between 15 May 1942 and 12 Sep 1945 the accused were engaged in guarding Australian British and Indian PW & Internees. The place of imprisonment was KUCHING and the prison was known as LINTANG BARRACKS. It was in fact a compound separated from a number of other compounds in which PW & Internees were detained. In addition to a large number of Internees the PW included approximately 170 Australians, mainly offrs. Originally there were also 1200-1300 British other ranks and as a result of ill treatment and scarcity of food the number of British PW were reduced to 750 by 12 Sep 45. Some of the Australians died and there were deaths amongst the Internees also.
2. The evidence of the prosecution was partly verbal and partly documentary. The documentary evidence was contained in numerous statements made by former PW and in interrogations of the accused reduced to writing and signed by them.
3. The allegations made by the witnesses for the prosecution were that the assaults consisted of striking with fists and sticks, kicking in all parts of the body and instances of kicking in the testicles. The beatings and assaults were meted out to PW & Internees even though they were suffering severely from tropical diseases and they were compelled to carry out heavy fatigues. Sometimes the assaults were made by the accused in accordance with orders of superiors and at other times the accused meted out the punishment of their own accord. The conditions under which both PW & Internees were compelled to live were extremely bad and the food, mainly small daily issues of rice, was both of very poor quality and small in quantity. No medicines were made available and medical treatment was almost non existent.
4. The accused gave evidence in their defence. Numerous admissions were made of slapping PW & Internees but in general the accused denied the charges.

RECORD OF MILITARY COURT

Capt SUZUKI Sohei

Med Sgt YAMAMOTO Tetsuo (JAPANESE WAR CRIMINALS)

S/M ICHIKAWA Koichi

Korean Gd. CHIBA Korin

" " HAYASHIKAWA Ryusoku (not guilty)

" " NAGAYAMA Takuro (not guilty)

Accused: " KIYOHARA Mashige

AWC No.....

Aust W.C. List Ser No.....

Court, Place, SINGAPORE

Date and 16, 17, 18, 19, 20 and 23 Jul 46.

Formation:

Charge(s)

Plea

Finding

1. (Against all accused) COMMITTING A WAR CRIME at LIENG KHAN FRENCH INDO-CHINA between 15 Apr to 28 Jul 1945 to wit inhumane treatment of PW causing deaths bodily injury, damage to health and physical and mental suffering of the said PW.	all accused not guilty.	Accused HAYASHIKAWA and NAGAYAMA both not guilty. All other accused guilty. The words "contributed to" are substituted for the word "causing" in the charge against accused SUZUKI and YAMAMOTO, and as against the accused ICHIKAWA and CHIBA the words "three PW" are substituted for all the words after the words "treatment of".
2. (Against accused YAMAMOTO only). COMMITTING A WAR CRIME AT LONGH THANH FRENCH INDO-CHINA in Apr 1945 to wit in- humane treatment of PW thereby causing death of one of them.	Not guilty	
3. (Against accused CHIBA only) COMMITTING A WAR CRIME at TONCHAN Camp in June 1943 to wit inhumane treatment of PW thereby causing death of one of them.	Not guilty	2nd Charge Not guilty 3rd Charge Guilty

Precis of Evidence:

1. The evidence for the prosecution was partly verbal and partly documentary. Verbal evidence was given by Capt H.J.RAE. The documentary evidence was contained in a number of affidavits made by ex PW. members of the British Army, the Australian Imperial Force and the Dutch Army, and written statements made by each of the accused.

2. First Charge. The accused SUZUKI was the Camp Commander at LHIEN KHAN PW Camp in FRENCH INDO-CHINA between April 45 and Jul 45. The accused YAMAMOTO was the medical Sgt at the Camp and the remaining accused were on the Camp Staff. There were approximately 1000 PW in the camp consisting of British, Australian and Dutch PW. Of the 1000 PW approximately 300 were sick in the Camp hospital. The prisoners not in hospital lived in huts. The huts were crowded and leaked during wet weather. The bed covering was totally inadequate, for PW at night. The water supply was unhygienic and befouled by natives. There was a total insufficiency of utensils for boiling and purifying water. Food was poor in quality and quantity and consisted of
(over)

Sentence and Date: Accused SUZUKI S and YAMAMOTO T - TO SUFFER DEATH BY HANGING 23 Jul 46.
" ICHIKAWA K - TO BE IMPRISONED FOR 12 YEARS 23 Jul 46.
" CHIBA K - TO SUFFER DEATH BY HANGING 23 Jul 46.
" KIYOHARA M. - TO BE IMPRISONED FOR 15 YEARS 23 Jul 46.

Confirmation and by Whom: LT GEN V.A.H. STURDEE C.G.S. AMF 24/12/46

Promulgation: Confirmation of findings and sentences promulgated to each accused on the 20/1/47. Suicided SUZUKI, YAMAMOTO and CHIBA executed on the 21/1/47 and CHANGI prison. Promulgated to Kiyohara on the 2-5-47.

Petition: Joint petition lodged Aug 46 on behalf of each convicted accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petition.

Action on Petition: Dismissed 24/12/46

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (Contd)

rice, beans and carrots. PW were always hungry. At times PW were permitted to buy a cow from the natives with their own money. This they slaughtered to supplement food rations but the Japanese always took quantities of the meat and left a small portion for the PW. The Japanese received stocks of Red Cross supplies of food, clothing and medical supplies. These were under the control of the accused SUZUKI and the accused YAMAMOTO and they were consistently withheld from the PW medical officers and the PW themselves. When PW realised this was being done 4 Australians who were in hospital broke into the store and removed some of the Red Cross parcels. The PW involved were Gnr. D.M.KING, Pte T.M.JACKSON and Gnr.R.BENNETT. When the removal of the parcels was discovered the accused SUZUKI paraded the PW and threatened them with collective punishment if the men who stole the parcels did not confess. Eventually all the men confessed and were struck on the face and body by SUZUKI with his sword. From 1000 hrs on the day of their confession they were tied to the trees in such a position that they could not move their hands or feet. They remained there all night in bitter cold and they were clad in thin shirts and were without footwear. At 1000 hrs next day these PW were released and questioned as to the whereabouts of the goods removed. They were subjected to bashing and hitting and then tied to the trees again. The accused SUZUKI then came on to the parade ground and untied Gnr KING. The accused struck him across the face and knocked him down. The accused then threw KING to the ground several times, with a wrestling hold. KING was then taken to the front of the office and thrown to the ground again, and his hands and feet tied. The accused CHIBA then brought a kettle of hot water from the kitchen and an oil funnel from the garage. One of the accused guards sat on King's chest and holding open his mouth with the funnel the water was poured into his mouth. When the kettle was empty the accused CHIBA then bumped up and down on King's stomach till he vomited blood and water. Another kettle of water was produced and the torture continued until King became unconscious. This torture was then given to the other PW and the PW Bennett told where the parcels were hidden. The torture was given over two days and all of the accused except HAYASHIKAWA assisted therein. King then escaped and was not recaptured. The other PW were either tied to trees or tied up in the guard house for several days. The accused SUZUKI paraded all sick PW and forced them to carry out fatigues. The supply of drugs and medicines which were never sufficient were deliberately reduced in quantity by the accused YAMAMOTO. The accused SUZUKI stated that sick PW would carry out fatigues until KING was recaptured. As a result of the fatigues and the refusal by the accused YAMAMOTO to admit PW to hospital, 6 PW died.

3. The defence of the accused all of whom gave evidence was in substance a denial of inhumane treatment whilst it was admitted that conditions of the camp were difficult it was alleged by the accused SUZUKI that everything possible was done for PW. Each of the accused denied that they had taken any part in the water torture and alleged that it had taken place while they were absent on other duties and that if such torture was given it was carried out by PW Guards without any authority. In regard to the housing it was alleged that huts had been erected hurriedly but were not in the shape as alleged by the prosecution. The accused further contended that he took all necessary action for the purification of water. It was also admitted that Red Cross parcels had been received and it was claimed that whilst some had been issued to PW others were kept in stock pending anticipated arrival of a further large party of PW. As to the 6 men who died otherwise than from natural causes. It was claimed that a number of PW were suffering from malaria and dysentery and such was the cause of deaths.

4. Second Charge. The accused was found not guilty in respect of this charge.

5. Third Charge. In June 1943 the Burma Siam Railway was being constructed. The accused CHIBA was in charge of a small group which was responsible for the building of a bridge near TONCHAN SIAM. The accused was not in charge of the actual parties whilst working, but he was in effect a Camp Commandant in control of the Prisoners camp administration etc. The food was small in quantity and consisted mainly of rice and sometimes a little meat and fish. If meat or eggs arrived in the camp the accused would retain a large quantity and sell same to the Thais. The PW worked from daylight till dark and those who were sick remained behind. The accused would hold sick parades of those left in camp. He gave them PT exercises, made them stand to attention for long periods, and often he made them run about chasing them with a stick and beating them. Those PW who stood up to this treatment were sent on fatigues, and if they were returned being unfit for work the accused would give them fatigues of his own making. A PW named L/Bdr Jones who was suffering from pneumonia was forced to go to work in the morning. He returned to rest in the afternoon. When the accused saw him he made the PW stand to attention and he was beaten until he collapsed in the mud. Protests were made to the accused's superior officers and apparently the accused heard about it. Capt RAE and other PW officers were paraded and the accused abused them and struck them a number of blows. Capt RAE was struck about 20 blows in all. One Pte RIDDOCH of 2nd Gordon Highlanders was ill-treated by the accused on so many occasions that he would not go on sick parade. He was very ill and eventually was evacuated to hospital where he died. It was alleged that the ill-treatment and brutality of the accused kept RIDDOCH at work and his death from weakness followed as a result.

6. The accused CHIBA gave evidence in his own defence. He stated that he was stationed at the Camp in question for about a month only. He denied ill-treatment of PW as alleged.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans 222

Accused: L/Cpl YAMANISHI Masato

AWC No.....

Aust W.C. List Ser No.....

Court, Place, Date and Formation: --- Singapore 1 July 46
1 Aust War Crimes Sec

Charge(s)	Plea	Finding
Committing a war crime in that he in the month of April 1945 at Rajouri in Siam cruelly beat NX65882 Sgt. HELLMRICH a member of the Australian Imperial Force thereby causing him bodily injury.	Not Guilty	Guilty

Precis of Evidence: The evidence for the prosecution was documentary and consisted of 'Q' Forms completed and signed by Sgt. HELLMRICH and another Australian prisoner of war namely Pte. Taylor, G., also summaries of examination of the accused and other Japanese soldiers. The substance of the evidence for the prosecution was to the effect that Sgt. HELLMRICH was in charge of a working party of prisoners of war at RAJBURI Camp and during the lunch hour he reported to the accused that two other men were too sick to work. The accused made the Sgt. parade these men before him and in spite of the fact that they had been examined by a prisoner of war medical officer, the accused proceeded to conduct his own medical examination. The accused said that the men were fit to work and ordered them to stand at a position of attention outside the guard house for the remainder of the afternoon. Sgt. HELLMRICH protested and said the men were too ill to do so. The accused therefore turned on Sgt HELLMRICH and (PTC)

Sentence and Date: To be imprisoned for 5 years. 1 Jul 46.

Confirmation and by Whom: Maj-Gen L.H. COX, GOC Singapore District.

Promulgation: Confirmation of finding and sentence promulgated to the accused on 9 Aug 46.

Petition: — *No petitions Lodged*

J.A.G.'s Report on Petition: —

Action on Petition: —

Filed in Attorney-General's Department and Numbered.....

7

struck him unmercifully for some five to seven minutes. The accused struck him with his fists and kicked him with his leather boots on the shins and legs resulting in severe cuts and bruises to the Sgt's head and legs. The Japanese Cpl in charge of the PW awarded Sgt Hellmrich 20 days compensation on full pay in order to recover from his injuries. The accused gave evidence in his defence. He admitted that he punched Sgt HELLMRICH about four or five times and kicked him on the shins about four or five times also. The reason for the beating was that the Sgt had told the accused a lie about the allegedly sick PW and when discovered assumed a threatening attitude. Rather than report the matter to a superior officer which would have resulted in a Court Martial and severe punishment the accused punished Sgt Hellmrich himself.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R147 Qus 166

AWC No. AWC No. 2920

Accused: Sgt Maj KAMINAKA, Tsunejiro

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 19 Jun 46
Formation: 8th Military District.

Charge(s)	Plea	Finding
MURDER (see schedule attached)		

Precis of Evidence: The evidence adduced by the Prosecution was contained in atrocity - mal-treatment reports relating to each of the deaths of the Indians named in the charges, a written interrogation of the accused and a statement signed by Capt . PARISH. The substance of the evidence respecting each charge was as follows:-

1st Charge

The alleged murder was witnessed by 3 Indian PW. During a movement of Indians from PAROM to KURRINGE the deceased AUSA RAM was made to carry the baggage of the accused and another Japanese Sgt. Owing to weak state of health he was unable to do so and he was beaten with a stick by the accused until he became unconscious. He was left on the roadside and the following day he arrived at KURRINGE, in a serious state of health. The deceased died a few days later. Witnesses were convinced that death was due to the beating.

Sentence TO "SUFFER DEATH BY HANGING.
and Date: 19 Jun 46.

(over)

Confirmation Finding and sentence confirmed by Lt-Gen V.A.H. Sturdee.
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated to the accused on 5 Nov 46 accused executed by hanging at Rabaul on 6 Nov 46.

Petition: Lodged 28 June 1946. against finding and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

2nd Charge.

Towards the end of July 1944 Sepoy NARJAIL SINGH owing to weakness was unable to work to the satisfaction of Japanese guards. He was ordered to work harder but was incapable of doing so. The accused assisted by Cpl MATSUMURA beat NARJAIL SINGH with a large stick. NARJAIL SINGH was carried back to the PW lines and as a result of the severity of the beating he died four days later. Three Indians witnessed the beating.

3rd Charge

About the middle of July 44 near PAROM NEW GUINEA the deceased Sepoy RAN SINGH asked the accused to allot him light duties as he was in a weak state and could not do heavy work. The accused and another Japanese beat the deceased until he fell to the ground. He was carried to his hut and died seven days later. There were 3 witnesses to the assault. It was contended that the beating resulted in the death of the deceased.

4th Charge

The deceased Sepoy DALIP SINGH was ordered to collect dry kindling wood from the jungle and on account of unfordable streams his return was delayed. The accused when given this explanation beat the deceased with a large stick causing severe head injuries. He died within a week. The deceased, it was stated, was in a fit condition and there was no doubt he died as a result of the head injuries and the beating. There were 4 witnesses to the assault.

5th Charge

In June 44 a party of Indians moved from HANSA BAY to PAROM. En route the deceased Cook KARTAR SINGH on account of weakness was unable to keep pace with the party and arrived at PAROM a week later. The deceased was suffering from Malaria, but in spite of this on his arrival the accused beat him with a stick until he became unconscious. The deceased was taken to his hut and appeared to become insane. He died 4 days later. A witness expressed the opinion that his mental state and subsequent death were brought about by the beating. There were 4 witnesses in connection with this charge.

6th Charge

In Aug 44 the deceased Sepoy GURBACHAN SINGH and Sepoy SANA SINGH were severely beaten with sticks by the accused and L/Cpl SUZUE. The reason for the beating was that the deceased had failed to collect the specific number of coconuts whilst on fatigue. After the beating both deceased were unable to leave their beds and they died in about 6 days. Prior to the beating both the deceased were in a weak condition but were able to perform fatigues. The opinion was expressed that both deceased died as a result of the beating. There were three witnesses in connection with this charge.

7th Charge

In Nov 44 a number of Indians were moved under Japanese escort from PAROM to KURRINGE. The deceased, Water Carrier JOHLI RAM and a witness were unable to keep pace with the main party and subsequently they were overtaken by the accused. The accused took the deceased's mosquito net and the deceased protested. The accused then beat the deceased with a stick until he became unconscious. The deceased was left behind and later he was found wandering in the jungle in a demented state. Four days later he was brought to KURRINGE and later he died. One witness stated that he was convinced that the deceased became insane as a result of the brutal treatment. There were two other witnesses in connection with this charge.

8th Charge

The deceased Sepoy SALIP SINGH and Sepoy UJAGAR SINGH were detailed as night sick attendants to a Japanese Lt who was suffering from dysentery and malaria. In the early hours of the morning the accused entered the Japanese officers hut and found that the officer had died during the night. The accused called Cpls

SHIMADA and NITANI and the three of them beat the deceased with large sticks. Both deceased died 4 or 5 days later. There were 5 witnesses in connection with this charge and it was considered that the deaths of both deceased resulted from the beatings. They were in fairly good health prior to the assault.

9th Charge

The deceased UJAGAR SINGH and MANGAL SINGH were detailed as orderlies to the accused. Later both the deceased were cooking food over a fire. The accused apparently thought they were creating smoke in order to signal to Allied planes. The accused attacked both the deceased with a big stick and continued striking them for about 5 minutes. The accused continued striking them on the head, and body even after they had fallen to the ground. Both the deceased died shortly after the alleged beating. The witness concerned in this charge stated that the deaths of both deceased were due to the severity of the beatings.

10th Charge

The deceased Capt T.S. PARMAR IMS was the senior Indian officer in No.3 Camp Indian PW at KURRINGE. In Nov 44 some Indians had committed minor offences and in consequence the accused beat the deceased severely with a thick stick. In the middle of Dec 44 the deceased was again beaten by the accused. Immediately after he entered the hut of a witness. He was in great pain and was weeping. He was holding his back and his hair had been torn out by the roots. The deceased said he was dying and also said that he had been beaten by the accused because he would not hand over a blanket which belonged to another Indian. Prior to this latter beating the deceased had been in fairly good health. He died on 3 Feb 45. The opinion was expressed by a witness that the beating was the cause of death. There were 3 witnesses in connection with this charge.

11th Charge.

In July 44 the deceased L/Naik BISHAMBAR DASS was employed as an orderly to the accused. He was observed by the accused washing cooking utensils in a stream which was out of bounds to PW. The accused struck the deceased and a number of blows on the head and shoulder until he fell to the ground. The beating continued whilst deceased was on the ground. He was taken to his hut seriously ill and died about 9 days later. The deceased was suffering from beri beri prior to the beating but the opinion was expressed that the beating hastened the deceased's death. There were two witnesses in connection with this charge.

12th Charge.

In July 44 the deceased Sepoy KARA RAM refused to hand over his only shirt to the accused. The accused felled the deceased with a heavy stick and continued to beat him whilst he was lying on the floor. The deceased prior to the assault, was weak from the effects of beri beri. He died 6 days after the beating and the opinion was expressed that the beating hastened his death. There were 4 witnesses in connection with this charge.

13th Charge

The deceased SARDAR SINGH was suffering from dysentery and he was taken before the accused who asked the deceased what was wrong with him. The deceased told him and the accused ordered Japanese Cpl FUKUMOTO (now deceased) to throw him into the adjacent river as he was of no further use. The accused struck the deceased several times with his fist and under orders from the accused the Cpl beat the deceased with a stick. The deceased was then carried to the river and pushed into deep water. Some days later the deceased was brought back to camp by natives. On 7th or 8th Dec 44 the deceased died.

14th Charge

The deceased Sepoy AMAR SINGH was performing batman duties for the accused. The accused ordered the deceased to accompany him on a 5 mile journey. The deceased said he was suffering from beri beri and was unable to go. The accused struck him with a stick and the deceased was made to go. On the journey the deceased was unable to keep pace with the accused and the accused felled him with a stick and kicked him and stamped on his neck with the heel of his boot. The accused then threw him into a river but the deceased reached the bank and was found by 2 sepoy and they brought him back to camp. He died 3 days later. A witness expressed the opinion that death was due to the brutal treatment.

15th Charge

In July 44 the deceased LACHHMAN SINGH was beaten by the accused because he was unable to find any jungle vegetables. He was beaten on the head and body until he fell to the ground and the beating continued. The beating lasted for about 3 minutes. He died about a week after such beating. Although the deceased was suffering from malnutrition and occasional attacks of malaria, he was stronger than most PW. There was only one witness concerned with this charge.

The accused gave evidence in his defence. He denied knowing the majority of the deceased and stated that he had not beaten the Indians named whom he knew. A witness for the defence alleged that a number of Indians died from malnutrition, malaria dysentery and beri beri.

SCHEDULE OF CHARGES

CHARGES	PLEA	FINDING
<u>MURDER</u>		
(1) Between PAROM and KURRINGE in NEW GUINEA in Nov 44 of Sep AUSA RAM	Not guilty	Guilty on all charges except alternative charge to 7th Charge and the alternative charge to 10th charge
(2) <u>MURDER</u> in that he at PAROM near BOIKEN in New Guinea in Jul 44, murdered Sep NARJAIL SINGH.		
(3) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Sep RAN SINGH.		
(4) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Sep DALIP SINGH.		
(5) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Cook KARTAR SINGH.		
(6) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Aug 44 murdered Sep GURBACHAN SINGH and Sep SANA SINGH		
(7) <u>MURDER</u> In that he between PAROM and KURRINGE in New Guinea in Nov 44 murdered Water Carrier JOHLI RAM.		
<u>Alternatively</u>		
<u>ILL TREATMENT OF A PRISONER OF WAR</u>		
In that he between PAROM and KURRINGE in New Guinea ill treated Water Carrier JOHLI RAM, an Indian PW, by cruelly beating him.		
(8) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Sep DALIP SINGH and Sep UJAGAR SINGH.		
(9) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Sepoys UJAGAR SINGH and MANGAL SINGH.		
(10) <u>MURDER</u> at KURRINGE in New Guinea in Nov/Dec 44 of Capt PARMAR IMS.		
<u>Alternatively</u>		
<u>ILL-TREATMENT</u> AT KURRINGE in New Guinea in Nov/Dec 44 of Capt PARMAR IMS by cruelly beating him.		
(11) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered L/Naik BISHAMBAR DASS.		
(12) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea murdered Sepoy KARA RAM.		

CHARGES	PLEA	FINDING
(13) <u>MURDER</u> In that he at KURRINGE in New Guinea in Dec 44 murdered Hav. SANDARA SINGH.		
(14) <u>MURDER</u> In that he near BOIKEN in New Guinea murdered Sep AMAR SINGH		
(15) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea murdered Sepoy LACHHMAN SINGH.		

DPW(AG13(2a))/WHOL/AR.

RECORD OF MILITARY COURT
 (JAPANESE WAR CRIMINALS)

Ans. 239

AWC No. 2250, 2252

Accused: Capt YAMAOKA Shigeru
 Lt MATSUURA Toshisato
 Court, Place, RABUL
 Date and 24 & 25 May 46
 Formation: BMD

Aust W.C. List Ser No.

Charge(s)	Plea	Finding
MURDER in that they at NEW GUINEA in or about September 1944 murdered L/NK KARAN SINGH and Sep SOHAN SINGH	Both accused not guilty	Both accused guilty

Precis of Evidence: 1. The evidence for the prosecution was documentary and consisted of written statements made by Indians who had been PW in Japanese hands and statements in writing made by each of the accused. The deceased were members of the Indian Army and were also PW in the custody of the Japanese.
 2. The substance of the evidence was to the effect that in Sep 44 a party of Indian Army PW including the deceased and the witnesses for the prosecution marched from BOIKEN to NOI in New Guinea. One evening when the party had stopped for the night the accused YAMAOKA searched all Indian PW and he found some bananas in the possession of the deceased. Next morning the accused YAMAOKA (who was accompanied by a Medical W/O) addressed the Indians and stated that if PW were found stealing fruit or vegetable from native gardens or trading clothing the culprit would be executed. The accused YAMAOKA then ordered the medical W/O to deal with the deceased. The medical

Sentence and Date: BOTH ACCUSED TO SUFFER DEATH BY HANGING - 25 May 46

Confirmation and by Whom: Maj Gen W. M. Anderson Adj Gen A.M.F. 21/5/47.
 MATSUURA'S sentence not confirmed

Promulgation: Promulgated to ~~MATSUURA on 12/10/44 and executed on 27/10/44~~
 the accused on the 27/10/47 and executed on the 28/10/47

Petition: Petitions lodged 5 June 46 by both accused against finding and sentences.

J.A.G.'s Report on Petition: Confirmed finding and sentence and dismiss petition respecting accused YAMAOKA. Finding and sentence respecting accused MATSUURA should not be confirmed and petition should be upheld.

Action on Petition: Dismissed 21/5/47.

Filed in Attorney-General's Department and Numbered

W/O then tied the hands of the deceased KARAM SINGH and cut his throat. The deceased SOHAN SINGH then attempted to escape but was captured by natives and tied up. His throat was then cut by the medical W/O. There was no evidence of the burial of the bodies of the deceased.

3. Both the accused gave evidence in their defence. The accused YAMAOKA admitted that the deceased were executed by beheading with the sword by one Sgt Maj FUJITA who committed suicide at MOI. This accused further alleged that as the deceased had been guilty of thefts he had exercised his rights under Japanese Army Criminal Code and also that the Indian Leaders had repeatedly requested that the deceased should be executed. The accused MATSUURA in evidence denied that he took any part in the actual execution. He admitted that under instructions from the accused YAMAOKA he examined the bodies of the deceased about 15 minutes after such execution. He also alleged that he heard the Indian Commander make a request to the accused YAMAOKA that the deceased should be executed.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

R. 143 *Ques 241*

AWC No. 2919

Accused: Navy Civilian Employee YUNOME Kunio

Aust W.C. List Ser No.

RABAU

Court, Place,
Date and 27 and 28 June 1946
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at MALOL near AITAPE in NEW GUINEA on 24 October 1943 of REHARIN an Ambonese native.	NOT GUILTY	GUILTY

Precis of Evidence: The evidence submitted by the prosecution was contained in a report from DPW & I, affidavits by Capt V.A.R. CHAPPLE, Capt E. Le Roy BOOTH, a written statement by the said Capt Chapple and a certificate of an Interpreter of the US Army named TAKASHI Teramae. The affidavit of Capt Chapple contained details of the interrogation of the accused. The substance of the contents of such interrogation is as follows. In October 1943 near AITAPE an Australian Sergeant and two Ambonese natives were captured by New Guinea natives and handed over to the Japanese. The New Guinea natives were rewarded with Japanese occupation money and lengths of clothing material. The accused in company with one HIROE interrogated the Australian and the natives, and the accused alleged that he acted as Interpreter. The Australian was interrogated for two or 3 days after his capture. About the beginning of Oct 43 one YASUNO sent a wireless telegram to HQ asking for

(over)

Sentence
and Date:

To suffer death by hanging 28 June 1946.

Confirmation
and by Whom: ^R
Lt.Gen. V.A.H. STUDEE C.G.S. AMF 16/9/46

Promulgation:

Sentence commuted to 10 years imprisonment and promulgated to the accused on the 27/10/47.

Petition:

Lodged July 46 against finding and sentence

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed 16/9/46

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (contd):

instructions regarding the Australian and the Ambonese natives and a reply was alleged to have been received from Vice Admiral KAMADA ordering the disposal of the prisoners. On the morning of the 24 Oct 43 the prisoners were taken to the sea shore. On arrival of the accused and the execution party a hole had been dug and a guard was surrounding the location. The Australian was executed by the said YASUNO with his sword and then the accused "was called by name and ordered to execute" the deceased. The other Ambones was executed by one MITSUBASHI. The accused admitted making an entry in his diary under date 24 Oct 43 reading as follows:

"This afternoon was for me an occasion to be remembered for a long time. I myself with my own Japanese sword beheaded an enemy soldier prisoner. This was a new experience for me. But I screwed myself to it. Anything can be done if one resolves to do it to the very best of one's ability. And I am convinced that given complete confidence I can carry out any task successfully. I really believe I was magnificent. Amongst the Japanese onlookers there were many who declared their admiration for my skill in making such an excellent stroke".

The accused also admitted that the photograph marked Exhibit No.4 annexed to the affidavit of Capt Chapple portrays him immediately prior to the execution of the deceased.

2. The substance of the defence of the accused was that he carried out orders of superior officers.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans-247

AWC No. 2120

Accused: Maj-Gen HIROTA Akira

Aust W.C. List Ser No.

Court, Place, Date and Formation: Rabaul
19, 20, 21, 24, 25, 26, 27, 28, 29, 31 Mar and 3 Apr 47.
8th Military District.

Charge(s)

Plea

Finding

Violation of the laws and usages of war in that he in New Britain between December 1942 and July 1945 while a commander of Armed forces of Japan at war with the Commonwealth of Aust and its allies failed to control the conduct of members of his command whereby they committed brutal atrocities and other high crimes against people of the Commonwealth of Australia and its allies.

Not
guilty

Guilty

Precis of Evidence: 1. The evidence for the prosecution was in the main documentary. The substance of the evidence was that the accused was Commander of field supply depots in the Rabaul area during the relevant periods set out in the charge. The location of units under command of the accused was proved by maps and admitted by the accused. The prosecution alleged that the crimes committed by subordinates of the accused were

- (a) ill-treatment and murder of Chinese PW
- (b) ill-treatment of Indian PW
- (c) ill-treatment of natives of New Britain.

2. The prosecution produced statements in writing to prove that the Chinese were PW and that they did not at any time voluntarily serve in the Japanese Forces. In support of the allegation of ill-treatment and murder of Chinese PW by subordinates of the accused the prosecution (PTO)

Sentence
and Date:

To be imprisoned for seven years.

Confirmation
and by Whom:

Maj Gen W.P.M. Anderson Adj Gen H.M.F. 27/6/47

Promulgation: Promulgated to the accused on 12-7-47.

Petition:

Lodged April 47 against finding and sentence

J.A.G.'s Report on Petition:

Confirm finding and sentence and dismiss petition.

Action on Petition:

Dismissed 27/6/47

Filed in Attorney-General's Department and Numbered.....

tendered the evidence of particular trials of such subordinates and such evidence was admitted by the Court. The evidence on such trials was submitted by the prosecution as proof of the murder of 52 Chinese PW and the ill-treatment of 14 Chinese PW. Further documentary evidence submitted by the prosecution was admitted in evidence to prove the conditions under which Chinese PW were compelled to work, the number of deaths of Chinese PW and the close proximity of the HQ of the accused to Chinese PW. Further evidence was given by a former Chinese PW to the effect that he overheard a conversation in a Japanese senior officers' mess. The substance of the conversation was that the accused said (inter alia) to other Japanese officers that he had pressed for the killing of all PW, that Gen IMANURA had agreed but the Navy would not agree. Verbal evidence was also given by certain Formosans as to a conversation between the accused and a Japanese named AIZAWA. In substance the accused admitted giving certain orders regarding Chinese PW but denied that he had given orders for their execution. A statement by Paymaster Sub Lt UETOGA was also put in in evidence to prove that there were in existence in 26 Supply Depot orders to execute sick Chinese PW.

3. In regard to the ill-treatment of Indian PW the prosecution tendered and the Court admitted in evidence, documents in support of such allegation. These documents showed that 3 Indian PW had been cruelly beaten by subordinates of the accused.

4. In regard to the ill-treatment of natives of New Britain the prosecution tendered and the Court admitted documents in evidence in support of such allegation. Such documents showed that ten natives of New Britain had been ill-treated and that one native died as a result thereof.

5. The accused gave evidence in his defence. In his defence he claimed that in regard to the murder of certain Chinese he had no knowledge or the opportunity of gaining any knowledge of the happening until after the occurrence and that he only heard of the fact after the cessation of hostilities. He further contended that at the date of the alleged murders he controlled the supply depot for the purposes of issue of requirements of troops and he had no control of the discipline of troops. In regard to the murder of other Chinese the accused alleged that the evidence in regard thereto was a pure fabrication and completely untrue. He submitted that such murders never took place and the Chinese invented this story because a Japanese tried for the crimes had only been sentenced to imprisonment for life. He further submitted that in regard to these murders they happened at times when he was not in actual charge of the Supply Depot and that he took control thereof at a later date. In regard to a third case of murder of Chinese, the accused denied having any knowledge of the incident until after his subordinate had been charged with the offence. In regard to a fourth case of murder of Chinese the accused denied all knowledge thereof and it was only after the cessation of hostilities that he learned of the happening. In regard to the ill-treatment of Chinese Indians and natives the accused alleged that at the relevant times he was only responsible for the issue of supplies and he was not responsible for the discipline of troops until a later date when the unit was completely organised.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Aust 231

AWC No.....

Accused: Korean Guard KANEYAMA Yoshio

Aust W.C. List Ser No.....

Court, Place, SINGAPORE
Date and 12 and 14 Nov 46
Formation: 1 Aust War Crimes Sec

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that he at 80 and 100 Kilo Camps in BURMA in and between the months of April and November 1943, in violation of the laws and usages of war, when concerned as a guard in the service of the Imperial Japanese Army, in the supervision of PW employed on the Construction of the BURMA-SIAM RAILWAY inhumanely treated PW.	NOT GUILTY	GUILTY

Precis of Evidence:

The evidence for the prosecution was documentary and consisted of affidavits made by former prisoners of war and a written statement made by the accused. The accused served as a guard in charge of prisoners of war at 80 Kilo Camp between the months of April and June 1943 and at 100 Kilo Camp between June and October 1943. The prisoners of war in these respective camps were working as labourers on the construction of the Burma/Siam Railway. The affidavits and documents put in evidence by the prosecution showed that in both these camps the accused viciously beat, assaulted and kicked many prisoners of war including those who were sick. In addition to kicking and striking them with his fists he used his rifle butt and bamboo sticks to beat his victims. Some of the victims of the brutality of the accused sustained severe bodily injuries.

Sentence and Date: TO BE IMPRISONED FOR 10 YEARS - 14 Nov 46

Confirmation and by Whom: Maj-Gen L.E. COX, Comd Singapore District

Promulgation: Confirmation of finding and sentence promulgated to the accused on 29 Nov 46

Petition: No petition lodged

J.A.G.'s Report on Petition: -

Action on Petition: -

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Case 230

AWC No.....

Accused: S/M FUNATO Chikayuki

Aust W.C. List Ser No.....

Court, Place, SINGAPORE
Date and 6 & 7 Nov 46
Formation: 1 Aust War Crimes Sec

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that he in BURMA in and between the month of December 1942 and January 1944 in violation of the laws and usages of war when concerned in the care and supervision of PW employed in the construction of the BURMA/SIAM RLY inhumanely treated PW	Not guilty	Guilty

The evidence for the prosecution was documentary and consisted of Precis of Evidence affidavits made by ex PW. The substance of the evidence was to the following effect. During the month of Dec 1943 and early in 1944 the accused was in charge of 100 Kilo Camp. This camp together with other Japanese Camps supplied PW as labourers for the construction of the Burma/Siam Railway. Generally the charge against the accused was that in his capacity as OC of the Camp he allowed sick PW to be sent to work and also permitted PW to be beaten by guards under his command. Usually the beatings were given with rifle butts and under the direct orders and in the presence of the accused. There were cases where the accused himself administered beatings. The accused gave evidence in his defence and a witness was called on his behalf. The accused in his written interrogations admitted beating PW. In evidence the accused alleged that the interrogations were wrong and denied that he in any way assaulted or ill treated PW as alleged. He further alleged that if any guards under his command ill treated PW it was done without his knowledge and against his orders.

Sentence
and Date: TO BE IMPRISONED FOR 3 YEARS - 7 Nov 46.Confirmation
and by Whom: Maj Gen L.H. Cox, Comd Singapore DistrictPromulgation: Confirmation of finding and sentence promulgated to accused
on 2 Dec 46.

Petition: No petition lodged

J.A.G.'s Report on Petition: —

Action on Petition: —

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

(No-254)

AWC No. 2964, 2967

Accused: **Capt NOTO Kiyohisa**
C.P.O. WATANABE Teruo

Aust W.C. List Ser No.

Court, Place, **NABUL**
Date and **9 & 10 July 1947**
Formation: **8th Military District**

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME that is to say MURDER in that they in or about Oct 1943 at AITAPE murdered an Australian Prisoner of War and two Indonesian Prisoners of War.	Both accused Not Guilty	Both accused GUILTY

Precis of Evidence: The evidence for the prosecution was mainly documentary consisting of affidavits and relevant portions of the proceedings of a previous trial by military Court at Nabeul of Civ Yumme Kunio. The substance of the evidence was to the effect that the accused NOTO Kiyohisa was senior staff officer on the HQ of 2 Special Naval Base Force and 8 Naval Development Unit. The accused Watanabe was commander of a guard detachment from 2 Special Naval Base Force, stationed at AITAPE. It was alleged by the prosecution that the three persons mentioned in the charge were captured by natives under the direction of personnel, of the accused NOTO's command, and were then taken to AITAPE and placed under the guard of Watanabe's detachment. Soon after their capture the prisoners were interrogated and a report of the interrogation was forwarded to 2 Special Naval Base Force which was at that time commanded by Rear Adm KAMADA Michiaki. After consideration of this report by what has been termed a "Military (over)

Sentence **Capt NOTO Kiyohisa To be imprisoned for 20 years**
and Date: **C.P.O. WATANABE Teruo " " " " 7 years**

Confirmation and by Whom: *Maj Gen W.M. Anderson Cdy Gen AMF 11/9/47.*

Promulgation: *Promulgated to both the accused on 27/9/47*

Petition: **lodged on 22 July 47 by both the accused against the findings and sentences.**

J.A.G.'s Report on Petition: **Confirm the finding and sentence and dismiss petitions. Suggests mitigation of the accused NOTO's sentence to 7 years.**

Action on Petition: *Dismissed*

Filed in Attorney-General's Department and Numbered.....

x alleged that some days later the accused NOTO

Precis (continued)

"Punishment Tribunal" comprised of KAMADA a staff officer and a civilian jurist, it was decided that the prisoners had been operating as spies and therefore KAMADA sentenced them to death. The prosecution also had been ordered by KAMADA to transmit to WATANABE the order to "Kill all Prisoners of War at AITAPE". This order was transmitted to WATANABE verbally through one W/O KATSUKI a barge commander. NOTO stated that at this time he had seen the signed order for the execution on a file but had not read it. On receipt of this order at AITAPE WATANABE in discussion with Civilian YASUNO decided that the prisoners would be executed by beheading and not shooting. On approx 24 Oct 43 the three prisoners were executed by YASUNO, Civilian YUNOME, and Civilian NITSUNASHI. Both the accused gave evidence in their defence and although they did not dispute the above facts they contended that the execution of the prisoners was lawful as they had first been tried by a proper court.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Cms 256

AWC No. 2003

Accused: LT. TAKAKI Saburo

Aust W.C. List Ser No.

Court, Place, Date and Formation: BARAUL
5 and 6 Aug 1947.
8 MILITARY DISTRICT.

Charge(s)	Plea	Finding
<u>CONSTITUTES A WAR CRIME that is to say</u> <u>namely in that he at BARAUL on or about</u> <u>18 March 45 murdered Col F.M. SIMMONDS,</u> <u>Mr D.M. QUINN Mr W. SMITH, Mr DOYLE and</u> <u>Mr BARBER all British subjects and</u> <u>residents of BARAUL</u>	<u>GUILTY</u>	<u>GUILTY</u>

Precis of Evidence: The evidence for the prosecution was in the main documentary whilst verbal evidence was given by a Japanese Civilian MATSUJI Shinsu. The substance of the evidence was to the effect that the accused was adjutant to Lt Col MATSUYAMA Hiroshi who was commander of 67 Japanese Naval Garrison Unit. Following the landing on BARAUL by the accused's unit the five persons mentioned in the charge were interned and unless they were required for any specific work they were confined to the vicinity of a house in which they were then quartered. Early in March 45 Capt TAMURA Takao assumed command of the Japanese Garrison and MATSUYAMA assumed the appointment of adjutant whilst the accused became senior assistant to MATSUYAMA and included in his duties was the responsibility for the administration of the European civilian internees.

It was alleged by the prosecution that on the day following the air raid on BARAUL Island by Allied aircraft MATSUYAMA without consulting (contd)

Sentence and Date: To be imprisoned for 20 years

Confirmation and by Whom: Maj Gen W.M. Anderson Adj Gen AMF 6/10/47.

Promulgation: Promulgated to the accused on the 22/10/47.

Petition: Petition lodged 15 Aug 1947 for mitigation of sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans 256

AWC No. 1005

Accused: Lt. TAKAKI Saburo

Aust W.C. List Ser No.

Court, Place, Date and Formation: NAHARU
5 and 6 Aug 1947.
8 MILITARY DISTRICT.

Charge(s) Plea Finding

COMMITTING A WAR CRIME that is to say
knowing in that he at NAHARU on or about
28 March 45 murdered Col F.R. CHILMERS,
Mr D.R. QUINN Mr R. SUDON, Mr DAVIS and
Mr BARNES all British subjects and
residents of NAHARU

NOT
GUILTY

GUILTY

Precis of Evidence: The evidence for the prosecution was in the main documentary whilst verbal evidence was given by a Japanese Civilian MATSUJIN Shinsu. The substance of the evidence was to the effect that the accused was adjutant to Lt Cold NARAYAMA Hiroshi who was commander of 67 Japanese Naval Garrison Unit. Following the landing on NAHARU by the accused's unit the five persons mentioned in the charge were interned and unless they were required for any specific work they were confined to the vicinity of a house in which they were then quartered. Early in March 45 Capt TAKAGUCHI Takanori assumed command of the Japanese Garrison and NARAYAMA assumed the appointment of Adjutant whilst the accused became senior assistant to NARAYAMA and included in his duties was the responsibility for the administration of the European civilian internees.

It was alleged by the prosecution that on the day following the air raid on NAHARU Island by Allied aircraft NARAYAMA without consulting (contd)

Sentence and Date: To be imprisoned for 20 years

Confirmation and by Whom: Maj Gen W.M. Anderson Adj Gen AMF 6/10/47.

Promulgation: Promulgated to the accused on the 22/10/47.

Petition: Petition lodged 13 Aug 1947 for mitigation of sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.

Precis of Evidence

or obtaining authority from his commander ordered the execution of the 5 persons named in the charge. He then directed the accused to take the 5 civilians to a place near the waterfront where a hole had already been dug. On their arrival the civilians were lined up beside the hole and were killed either by shooting bayonetting or with a sword. The accused was present at the execution, which was carried out by members of his unit, and it was alleged by the prosecution that he took an active part in the execution by shooting one of the Europeans who had not been killed outright. It was also alleged that prior to the execution none of the Europeans was afforded any form of trial, and that the executions were unlawful. Later a report was submitted to the Commander of the Garrison that the Europeans had been killed during the Allied bombing attack.

The accused gave evidence in his defence and stated that the execution was carried out because it was feared that the Europeans would escape and join the natives in an attack on the Japanese Garrison. He also stated that he took part in the execution on the orders of his superior.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Case 253.

AWC No. 2963

Accused: Rear Adm OKADA Tametsugu

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 23 & 24 Jun 47
Formation: 8th Military District.

Charge(s)	Plea	Finding
<u>First Charge:</u> 1. Committing a war crime, that is to say MURDER, in that he at AMBON on or about 26 Apr 45 murdered VX39756 Pte WADHAM T.F.J. of 2/21 Aust Inf Bn, QX10714 Spr MORRISON J. of 2/11 Aust Fd Coy, NX7039 Dvr SIMPSON R.A. of A.A.S.C. and NX2116 Cpl SOLOMON J. of A.A.S.C. Australian prisoners of war.	Not guilty	Guilty
2. Committing a war crime that is to say MURDER in that he at AMBON on or about 30 Apr 45 murdered VX19415 Pte SCHAEFER F.N. of 2/21 Aust Inf Bn.	Not guilty	Guilty

Precis of Evidence: The evidence for the prosecution was mainly documentary whilst verbal evidence was given by Capt SHIROZU Wadami and Capt KAWASAKI Matsuei. The documentary evidence was contained in a number of statements made by members of the accused's command.

First Charge: The prosecution produced evidence to the effect that the accused was Commander of 25 Naval Base Force, and that as such he issued orders for the execution of the Prisoners of War named in the charge sheet. It was alleged by the prosecution that the prisoners of war named in the charge were suspected of having stolen rations and were interrogated at the direction of Capt SHIROZU Wadami. A report of this interrogation was submitted to HQ 25 Naval Base Force, and on or about 25 Apr 46 Capt SHIROZU Wadami received orders from that HQ, which were alleged to have originated from the accused, to execute the prisoners of war mentioned in the charge sheet. This execution was carried out by members of Capt SHIROZU's command. ~~Three of the prisoners were executed by beheading and the other by bayonetting~~ (PTO)

Sentence and Date: To suffer death by shooting. 24 Jun 47.

Confirmation and by Whom: Maj Gen W. M. ANDERSON Adjutant General AMF 4/8/47

Promulgation: Promulgated to the accused on 29-47. Accused executed 3-9-47.

Petition: Lodged by the accused against finding and sentence on 7 Jul 47.

J.A.G.'s Report on Petition: First charge: should not be confirmed.
Second charge: confirm finding & dismiss the petition.
Consideration should be given to the appropriate sentence in view of the
Action on Petition: advised non confirmation of the first charge.

Dismissed 7/8/47

Filed in Attorney-General's Department and Numbered

Precis of evidence (contd).

The accused gave evidence in his defence stating that he did not issue any orders regarding the execution of the aforesaid PWs or that he had any knowledge of any such order.

Second charge : Evidence was produced by the prosecution to show that the prisoner of war named in the charge had escaped from GALALA prisoner of war camp ANBON. This PW was interrogated on his recapture by the civilian interpreter IKBUCHI Masakiyo and a report of this interrogation was submitted by Capt SHIROZU to HQ 25 Naval Base Force. An order was conveyed to Capt SHIROZU by Capt KAWASAKI Matsuhei, senior staff officer of the accused, to the effect that the prisoner of war mentioned in the charge was to be executed. This order for the execution had been received verbally from the accused by Capt KAWASAKI. Capt SHIROZU then ordered Lt MIYAZAKI Yoshio a member of his command to arrange for the carrying out of the execution. The prisoner of war mentioned in the charge was executed by P.O. KURAKAMI Eizo on 30 Apr 46 without having been tried by a court-martial.

The accused gave evidence in his defence stating that he did order the execution of the aforesaid PW, but denied that he had received any interrogation report from Capt SHIROZU.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans. 255

AWC No. 2938, 2940

Accused: Comd HATAKEYAMA Kunito
Lt-Comd NAKAGAWA Kenichi

Aust W.C. List Ser No.

Court, Place, Date and Formation: Rabaul
14, 15 and 17 Jul 47
8 MD.

Charge(s)	Plea	Finding
<u>First Charge</u> - Committing a war crime that is to say MURDER in that they at Soewakoda AMBOINA on or about the 5th Feb 42 murdered a number of unidentified Aust PW.	Not guilty	Both accused guilty of the three charges.
<u>Second Charge</u> - Committing a war crime that is to say MURDER in that they in the TAWIRI-SOEWAKODA area AMBOINA on or about the 6th Feb 42 murdered a number of unidentified Aust PW.	Not guilty	
<u>Third Charge</u> - Committing a war crime that is to say MURDER in that they at TAWIRI AMBOINA, on or about 20 Feb 42 murdered a number of unidentified Aust PW.	Not guilty	

Precis of Evidence: The evidence for the prosecution was in the main documentary, whilst verbal evidence was given by Interp IKEUCHI Masakiyo. The substance of the evidence was to the effect that the accused Comd HATAKEYAMA was Adjutant, and at the time administering command of 1 Kure Naval Special Landing Party, and the accused NAKAGAWA was a company commander of 1 Kure Naval Special Landing Party, during the course of the invasion of AMBOINA by a Japanese force under the command of R/Adm HATAKEYAMA (not to be confused with the accused of the same name) KOICHIRO. After severe fighting the Allied garrison of LAHA surrendered on 3 Feb 42 and the survivors which comprised mostly Australian troops and a few Dutch troops were taken prisoner and placed under Japanese guard in the barracks at LAHA airfield. Ensign SAKAMOTO who was in charge of the prisoners complained to R/Adm HATAKEYAMA that he was having great difficulties in controlling the prisoners of war under his command and that they were starting to desert and (P.T.O.)

Sentence and Date: Comd HATAKEYAMA Kunito to suffer death by hanging.
Lt-Comd NAKAGAWA Kenichi to be imprisoned for 20 years.

Confirmation and by Whom: Maj Gen W.M. Anderson Adj Gen AMF 4/10/47 in the case of NAKAGAWA and commuted HATAKEYAMA's sentence to 20 yrs.

Promulgation: Promulgated to both accused on the 22/10/47

Petition: Petitions lodged by each of the accused on 30 Jul 47 against the sentence of the Court.

J.A.G.'s Report on Petition: Findings and sentences may be confirmed and petitions dismissed but suggest commutation of Comd HATAKEYAMA's sentence to 20 years' imprisonment.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.

cause riots.

It was alleged by the prosecution that R/Adm HATAKEYAMA on receipt of this complaint ordered the execution of these POWs and this order was given to the accused NAKAGAWA through the accused Comd HATAKEYAMA. On approx 5 Feb 42 NAKAGAWA with approx 30 Japanese naval personnel, killed by bayonetting and beheading approx 50 POWs in a coconut plantation approx 200 yards from SOEWAKODA village.

On approx 6 Feb 42 the POWs became mutinous and hard to control and after an interrogation of the prisoners by Lt MIZOGUCHI he reported the 30 of them who appeared to be the ringleaders. R/Adm HATAKEYAMA on hearing this ordered the accused Comd HATAKEYAMA to execute these PWs also. This order was passed on to the accused NAKAGAWA who supervised the execution which was again carried out by members of his command in the same manner as the first massacre.

It was also alleged by the prosecution that on approx 17 Feb the remaining PW were again becoming mutinous and endeavouring to make contact with Allied Forces still operating on the Island. At approx this time Comd HAYASHI assumed command of 1 Kure Special Naval Landing Party. After this last incident of the POWs R/Adm HATAKEYAMA ordered Comd HAYASHI to execute the remaining POWs held at LAHA airfield. NAKAGAWA was again ordered to carry out this execution, and on approx 20 Feb 42, he supervised the execution of the remaining POWs which numbered about 220. This execution was carried out by members of NAKAGAWA's company in the same manner as the previous 2 executions.

Both the accused gave evidence in their defence, to the effect that all the executions had been carried out by them under orders from their superior officer, and that it was essential for the protection of the Japanese armed forces on AMBOINA that the prisoners of war be killed.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans. 238

Accused: Capt SHIROZU, Wadami
1st Lt MIYAZAKI, Yoshio
Sub Lt SHIMAKAWA, Masaichi (Also charged before same court
Vice Admiral ICHISE, Shinichi
2nd Class PO ~~AKAKA~~ ~~Libchi~~ ~~1262~~
2nd Class PO KAKUDA, Iwao - 1223
were found NOT GUILTY)

Court, Place, MOROTAI
Date and 16-19-20 Feb 46
Formation: MOROTAI FORCE

AWC No. 1257, 1238, 1253.
Aust W.C. List Ser No. 1262

Charge(s)	Plea	Finding
Committing a war crime that is to say MURDER of a prisoner of war in that they at or near GALALA AMBON on or about 24 Jul 45 murdered VX25109 Pte BOYCE W.F. of 2/21 Aust Inf Bn then a prisoner of war held by the Japanese Armed Forces.	NOT GUILTY	SHIROZU, MIYASAKI, SHIMAKAWA - GUILTY

- Precis of Evidence: Evidence discloses that:
1. Pte BOYCE was arrested for stealing food from a dump and was confined for one week.
 2. He stole at the most half a bag of rice, 5 or 6 tins of food, and a watch and some cigarettes.
 3. Whilst in solitary confinement he was ill-treated, was very thin, suffering from bad tropical ulcers and was considered by Japanese as not normal.
 4. On 23 Jul 45 Boyce broke out and was picked up in latrines within the camp half an hour after it was found he was missing.
 5. Camp Comd SHIMAKAWA reported this to Vice Comd 20 Garrison MIYAZAKI. This report did NOT include details of BOYCE's condition.
 6. MIYAZAKI after investigation reported to Comd 20 Garrison Shirozu on 23 Jul (Over)

Sentence and Date: DEATH BY SHOOTING
20 Feb 46

Confirmation and by Whom: *Confermed by Lt Gen V.A.H. Sturdee.*

Promulgation: *Confirmation of finding and sentence promulgated to accused on SHIMAKAWA on 15/5/46 and executed 16/5/47
SHIROZU and MIYASAKI on 24/9/47 and executed 25/9/47.*

Petition: Submitted by SHIROZU, MIYAZAKI and SHIMAKAWA against finding and sentence on 20 Feb.

J.A.G.'s Report on Petition: Finding and sentence on Capt SHIROZU, 1st Lt MIYAZAKI and Sub Lt SHIMAKAWA may be confirmed.

Action on Petition: *Dismissed*

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence(Contd)

7. SHIROZU handed this report addressed to Vice Admiral ICHISE to staff officer 25 Naval Base Unit KAWASAKI.
8. SHIROZU received verbal orders from Kawasaki to "Execute BOYCE" one hour later.
9. SHIROZU who knew that a court martial had NOT been held passed this order to MIYAZAKI.
10. MIYAZAKI who also knew that a court martial had not been held, gave orders to SHIMAKAWA that BOYCE was to be executed and on his own initiative ordered that he was to be executed by bayonetting instead of by normal methods.
11. SHIMAKAWA a man of 44 years gave the actual order at the execution.
12. BOYCE was bayoneted to death by TANAKA and KAKUDA on 24 Jul 45.
13. Courts martial of 4 South Seas Fleet and 25 Naval Base Unit did NOT deal in a single case concerning PW at this period.

AUSTRALIAN MILITARY FORCES

AAF A117(a)
(Introduced Jan 46)
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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Lt-Col YUTANI, Yujiro
Sgt/Maj MIYATA, Masanori
Sgt/Maj SHIRAISHI, Terumitsu (Not Guilty)
Sgt OISHI, Herzaburo (Not Guilty)
Sgt TAKAHASHI Takashi
Sgt/Maj KASEZAWA, Toshinobu
Sgt NAKAYAMA, Yoshio (Not Guilty)
Court, Place, Date and Formation: DARWIN
15-29 Apr 46
TIMOR FORCE

AWC No. 1915, 1932, 1928, 1925, 1929, 1921, 1923, 1920, 1922, 1919
Aust W.C. List Ser No.
Sgt KAGEYAMA Toshio,
Sgt MATSUOKA, Yoshio (Not Guilty)
Sgt/Maj ENOMOTO, Eizo (Not Guilty)

Charge(s)	Plea	Finding
(1) MURDER of TX3282 Cpl J.H.ARMSTRONG a PW at AIRNONA, KOEPANG, TIMOR about 12 Jun 43.	ALL NOT GUILTY	Both Charges: YUTANI, Y. - Guilty MIYATA, M. - " SHIRAISHI, T. - Not Guilty OISHI, H. - " TAKAHASHI - Guilty KASEZAWA T. - " NAKAYAMA Y. - Not Guilty KAGEYAMA - Guilty MATSUOKO Y. - Not Guilty ENOMOTO, E. - Not Guilty
(2) MURDER of Gnr MARTIN, British Army PW at AIRNONA, KOEPANG, TIMOR about 12 Jun 43.		

Precis of Evidence:

See attached.

Sentence and Date:	Lt-Col YUTANI, Y.	-	Death by Shooting
	Sgt Maj MIYATA, M.	-	Imprisonment 5 years with hard labour
	" " KASEZAWA, T.	-	" 5 " " "
29 Apr 46	Sgt TAKAHASHI T.	-	" 4 " " "
	" KAGEYAMA, T.	-	" 4 " " "

Confirmation and by Whom: Confirmed by Lt-Gen V.A.H. STURDEE - 15 July 46

Promulgation: Confirmation of findings and sentences promulgated to the accused on 31 July 46. Accused YUTANI executed by shooting at Rabaul on 1 Aug 46.

Petition: Submitted 30 Apr 46 by TAKAHASHI against finding and sentence of the Court. Submitted 30 Apr 46 by remaining accused found guilty against sentence of the Court.

J.A.G.'s Report on Petition: Petitions should be dismissed and findings and sentences confirmed and that no mitigation of the sentences be considered.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence:

1. The admitted facts in this case are that the deceased who were prisoners of war in Japanese hands were taken by a truck to a point outside the village of Airnona Koepang Timor where they were executed by shooting. Their hands were tied and they were blindfolded. The deceased were not submitted to any trial and there was no reason for their execution except that the accused YUTANI had received orders from Division that "the two white prisoners and the Indonesian in the compound must be severely dealt with that means - put to death". The three accused YUTANI, MIYATA and KASEZAWA admitted taking part in the executions. YUTANI gave the orders for the execution of the deceased and the accused, MIYATA and KASEZAWA were present thereat and kept watch.

2. The remaining case for the prosecution rested on the evidence of two native witnesses (eye witnesses) and admissions made by certain accused to another native witness. The eye witnesses saw the deceased taken away in the truck to the place of execution and they identified certain of the accused as being in the truck when it moved off to the place of execution, and/or being with the party of soldiers and/or being present at such executions.

3. The admissions made by the witness Annin was to the effect that he was present at a meeting of certain accused when they were drinking at a Rest House. The substance of these admissions were to the effect that certain of the accused were present at the execution. The prosecution contended that although these admissions were not in themselves sufficient to convict the accused they corroborated the evidence of the other two native witnesses.

4. The case for the defence briefly consisted of

- (a) The admission by certain accused that they were concerned in the executions.
- (b) A general denial by the other accused as to their being present or in any way involved in the executions at all.

In regard to convicted accused who admitted participation in the executions it was submitted on their behalf that they were carrying out orders of superior officers. In regard to the remaining accused it was submitted on behalf of the prosecution that their denials were such that no credence could be given to them.

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

Capt YAMAMOTO, Hyotaro 2611, 2659, 2615, 2608,
Capt TORIGAI Keiji (Not guilty) 2604, 2600, 2603, 2601,
Capt ITO, Takio AWC No. 2606, 2613, 2607, 2605,
WO WATANABE, Akira S/M HIROTA Motoi 2612
Accused: WO OCHI, Hideo L/Cpl SHIRAGAWA Yasuichi W.C. List Ser No.
S/M ABE Keiji Cpl YOKOO Kiyoshio
S/M NOMI, Zenziro Cpl SAMUKAWA Hideichi (Not guilty)
Court, Place, RABAU L/Cpl URAGA Yoshio
Date and 3, 4 & 6 May 46 L/Cpl YAMASAKI Masami
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER at KOKOPO on 19 Feb 44 of Pte PINANGKAAN, Pte PARUNTU, Pte KOROMPIS, Pte TOLOLIOE, Pte CHRISTOFFEL, Pte PAAT, Pte KAENG, Pte ROTIKAN, Pte SIWU and Antony AROKIASWAMY.	Not guilty	All accused guilty except Capt TORIGAI Keiji and Cpl SAMUKAWA Hideichi - not guilty.

Precis of Evidence: Nine members of Dutch East Indies Army and one Indian were PW under the control of the Japanese at KOKOPO. The uncontradicted evidence submitted on behalf of the prosecution was that all the deceased escaped from the Japanese and were recaptured. They were held in custody for a period of about 20 days and were then executed by shooting. All the convicted accused were involved in the executions. Other evidence was given on behalf of the Prosecution to the effect that whilst the deceased were in the PW Camp there was general unrest as the Japanese were treating the PW very brutally. On occasions they were beaten very mercilessly for very minor offences. The hours of labour were very excessive and the food was very small in quantity and poor in quality. After the deceased were recaptured and during their detention prior to execution they were not subjected to a trial by the Japanese. Two witnesses for the Prosecution were eye witnesses to the executions. The substance of the evidence of these two witnesses (two members of the Dutch East Indies Army) was that the deceased were ordered to sit down (Over)

Sentence and Date: The convicted accused :-
Capt YAMAMOTO Hyotaro)
Capt ITO Takio) Death by hanging - 6 May 46.
WO WATANABE Akira)
The convicted accused :-
WO OCHI Hideo) S/M HIROTA Motoi)
S/M ABE Keiji) L/Cpl SHIRAGAWA Yasuchi) All 20 years Imprison-
Confirmation and by Whom: S/M NOMI Zenziro) Cpl YOKOO Kiyoshio) ment - 6 May 46
Cpl URAGA Yoshio)
Lt-Gen V.A.H. STURDEE L/Cpl YAMASAKI Masami - 15 years imprisonment
Promulgation: Confirmation and non confirmation of finding and sentences May 46
promulgated to respective accused on 6 Sep 46. Accused YAMAMOTO,
ITO, and WATANABE executed at Rabaul by hanging on 7 Sep 46.
Petition: Petitions submitted by all the convicted accused - 17 May 46.

J.A.G.'s Report on Petition: Confirmation of findings and sentences and dismissal of petitions in all cases except accused YOKOO and HIROTA.

Action on Petition: Petitions of accused YOKOO and HIROTA upheld. Findings and sentences not confirmed.

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (contd) :

at the side of a trench and some of the accused opened fire on them with rifles and LMG. Some of the deceased were only wounded and immediately after the shooting the wounded as well as the dead were bayonnetted.

The accused gave evidence in their defence. The accused YAMAMOTO admitted having ordered and being present at the executions. He considered the deceased to be members of the Japanese Army and that they were plotting rebellion. The remaining accused admitted being present at or taking part in the executions. They claimed that they were carrying out orders of their superiors.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Sgt TAGAI Torazo

Aust W.C. List Ser No.....

Court, Place, RABUL
Date and 14,14,16,17 & 22 Jan 46
Formation: 11 Aust Div

Charge(s)	Plea	Finding
1. TORTURE at RAMALI on or about 10 Feb 45 of Sister MEKIL Sister CECILIA (both civilians) and other civilians.	Not Guilty	Guilty
2. TORTURE at RAMALI in or about March 1945 of CHING FU and SEETO SING both civilians.	Not Guilty	Guilty in regard to CHING FU only
3. TORTURE at RAMALI in or about Aug 45 of TOGOGO, TOMATERUM and TAMIAN (all civilians).	Not Guilty	Guilty in regard to TOGOGO & TAMIAN only
4. TORTURE at BITAGALIP about April 45 of TOKARI & TOTOLA civilians.	Not Guilty	Guilty in regard to TOTOLA only.

Precis of Evidence: 1. First Charge. The substance of the evidence for the prosecution was to the effect that on or about 10 Feb 45 the Japanese had accused the Sisters of the Romali Mission named in the charge and other Sisters of the Mission of "Anti-Japanese talk." After questioning the Sisters were ordered to kneel on the ground in three lines. The accused then placed a long pole at the back of the knees of the Sisters in the front rank and the accused and another Japanese named KITADA stood on each end of the pole for about a minute causing the Sisters to suffer extreme pain. This torture was meted out to the Sisters in the two other ranks and they were all kept in this kneeling position for about 3 hours. Some of the Sisters were crying with the pain and the accused said to the Sisters "Does it pain." In receiving an answer in the affirmative the accused said "That is only a small pain to what Christ suffered on the Cross." During the course of the illtreatment the accused placed his sword on the neck of (Over)

Sentence and Date: TO BE IMPRISONED FOR TWENTY YEARS - 22 Jan 46

Confirmation and by Whom: Findings confirmed. Sentence mitigated to 10 years imprisonment and confirmed as mitigated by Lt-Gen V.A.H. STURDEE Acting Commander-in-Chief Australian Military Forces.

Promulgation: Confirmation of finding and sentence as mitigated and confirmed promulgated to accused on 12 Apr 46.

Petition: Lodged Jan 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm findings but sentence should be considerably mitigated.

Action on Petition: Findings confirmed but sentence mitigated to 10 years imprisonment.

Filed in Attorney-General's Department and Numbered.....

one Sister Theresa and told her that she would have three days in which to confess. As a result of fear this Sister was very sick for some time thereafter.

2. Second Charge. In or about March 1945 a Chinese civilian named CHING FU accidentally bumped into a Japanese soldier and he and SEETO SING who was present at the time were taken to the Japanese Military Police. After questioning by the accused and other Japanese soldiers who were present both the Chinese were made to kneel on the ground and a stick was placed at the back of their knees. The accused and another Japanese then stood on each end of the stick for about ten minutes. It caused the Chinese intense pain. They were also subjected to slappings and beatings with a cane by the accused.

3. Third Charge. In about Aug 45 the three natives named in the charge were taken to HQ of Japanese Military Police BITIGALUP (RAMALI) in connection with some tins of meat which had been stolen. The accused was present with other Japanese. Each of the natives were tied up and questioned by the accused. He beat the natives with a thick cane about 3 feet long. They were beaten on the head and body for about 10-15 minutes. They were then tortured by placing a stick at the back of their knees whilst in a kneeling position. The accused and another Japanese stood on the respective ends of the stick. This illtreatment continued for about half an hour. The natives remained tied up and next day in the presence of the accused and another Japanese they were beaten by natives named SILI & SALI and a half caste named FELIX. It was a very savage beating. They were kicked and beaten on the head and body causing them to bleed freely. The beating and kicking lasted for about an hour. In addition to the beating and kicking the native named TOGOGO was suspended from a pole head downwards and water was poured into his mouth. The accused was also present during this torture.

4. Fourth charge. In about April 1945 the natives TOKARI & TOTOLA named in the charge were taken to Japanese HQ at BITAGALIP. TOTOLA was brought into a room and in the presence of a Japanese named KITADA and two natives named OTTO & SASABAK, he was severely beaten with a cane about an inch thick and three feet long. After the beating TOTOLA was made to kneel down and a stick was placed at the back of his knees. The accused & OTTO jumped up and down on the stick causing TOTOLA to cry out in pain. The accused then ordered SABAK to remove the stick. TOTOLA was then made to lie down and stretch out his arms and a stick was tied along the back of his arms and under his shoulders. The accused then ordered a cask of water to be brought in and cups of water were poured into TOTOLA's mouth. As a result his stomach was very swollen and he lay there until next morning until TOKARI was brought in. The native OTTO was ordered to tie the hands of both TOTOLA & TOKARI and they were suspended from a rafter with their feet about six inches above the ground. After being suspended for a considerable period the natives were put down and were imprisoned for three days.

5. The accused gave evidence in his defence and witnesses were called on his behalf. The substance of the evidence of the accused was to the effect that he was a Cpl Interpreter but had no powers of an NCO. He alleged that he interpreted the orders of a Japanese Sgt Maj KITADA who was responsible for the tortures and who was his superior. He admitted being present at certain times when the persons referred to in the charges were ill-treated but that he took no part in them and in the main carried out the orders of KITADA.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No.

Accused: Sgt. Maj. KITADA Yoshihiko

Aust W.C. List Ser No.

Court, Place, Date and Formation: Rabaul
19, 21 & 22 Jan 46,
11 Aust Div.

Charge(s)	Plea	Finding
1. Torture at Romali on or about 10 Feb 45 of Sister MENTIL Sister CECILIA (both civilians) and other civilians.	Not guilty	Guilty
2. Torture at Romali in or about March 1945 of CHING FU a civilian.	Not guilty	Guilty
3. Torture at Romali in or about Aug 1945 of TOGOGO and TAMIAN (all civilians).	Not guilty	Guilty
4. Torture at Bitagalip about Apr 1945 of TOKARI and TOTALA, civilians.	Not Guilty	Guilty

Precis of Evidence: First Charge : The substance of the evidence for the prosecution was to the effect that on or about 10 Feb 45 the Japanese accused, the Sisters of the Romali Mission named in the charge and other Sisters of the Mission of "Anti-Japanese talk". After questioning, they were ordered by the accused to kneel on the ground and a long pole was placed at the back of their knees. The accused and a Japanese Sgt TAGAI Torazo stood on each end of the stick causing the Sisters to suffer extreme pain. After this treatment all the Sisters were allowed to leave except Sister THERESA and Sister CECILIA. The other Japanese TAGAI then drew his sword and placed it on the neck of Sister THERESA and told her she had three days in which to confess. This Sister was very frightened and as a result she was sick for some time thereafter. The accused told the Sisters that he had received orders that they were to be whipped but that it was considered "the stick treatment" was not so cruel. The accused was in charge at the time and TAGAI conveyed to the Sisters in "Pidgin" what the accused said. (PTO for remainder)

Sentence and Date: To be imprisoned for 30 years. 22 Jan 46.

Confirmation and by Whom: Findings confirmed - sentence mitigated to 10 years' imprisonment and confirmed as mitigated. Lt-Gen V.A.H. Sturdee Acting Commander-in-Chief A.M.F.

Promulgation: Finding and sentence confirmed as mitigated promulgated to accused on 12 Apr 46.

Petition: Lodged Jan 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and mitigate sentence.

Action on Petition: Finding confirmed but petition upheld insofar as sentence concerned. Mitigated to 10 years' imprisonment.

Filed in Attorney-General's Department and Numbered:

Second Charge : In or about March 1945 a Chinese named CHING FU bumped into a Japanese soldier and together with CHANG SHUI HING and SITO SING they were taken to the Japanese military police. After questioning both the accused and TAGAI, slapped and struck CHING FU and SITO SING very heavily with a cane. CHING FU was then made to kneel on the ground and a stick was placed on his legs at the back of his knees and the accused and TAGAI stood on the respective ends of the stick. This torture which lasted for about ten minutes and caused CHING FU to cry out in pain. At the time the accused was in charge of TAGAI and the other Japanese who were present.

Third Charge : In or about Aug 1945 the natives named in the charge were accused by the Japanese of stealing some tins of meat that were taken. They were questioned by the accused and TAGAI and the accused was in charge of the case. After the questioning TOGOGO was beaten severely by the accused and TAGAI with a cane. TAMIAN and another native named TOMATERUM who came in later were both thrashed by the accused and TAGAI. A string was then tied to the penis of TAMIAN and the string was pulled tightly. He was led out of the room by a native named OTTO. The accused was present at this time also. After that TOGOGO and TAMIAN were made to kneel and their hands were tied in front of them. A stick was then passed over their wrists and under their knees and the sticks were placed on two chairs causing the two natives to be suspended head downwards. Buckets were brought in two of which were filled with water and the other two were placed beneath the heads of TOGOGO and TAMIAN and natives poured water into their mouths. The orders for this ill-treatment were given by the accused. TOGOGO confessed to the stealing of tins of meat during the course of the beating and again during the water torture.

Fourth Charge : The natives named in the charge namely TOKARI and TOTALA were taken to Japanese Military Police HQ at BITAGALIP near KOKOPO in or about April 1945. The Japanese alleged that they had been stealing and spreading anti-Japanese propaganda. The accused and TAGAI were present and pursuant to orders both TOKARI and TOTALA were suspended by their hands from the rafters. They were kept in this position for about half an hour. The accused ordered that both natives should be suspended from the rafters. After they confessed to stealing, they were imprisoned for three days.

5. The accused gave evidence in his defence. In regard to the first charge he alleged that he had been ordered to administer a whipping to the Sisters but he decided to reduce the punishment to the "stick treatment". In regard to the second charge the accused alleged that CHING FU had disobeyed an order of a Japanese sentry and when he was apprehended, CHING FU requested him (the accused) to punish him rather than be punished by other Japanese. He was given "stick treatment" for about five minutes and then released. This was much lighter punishment than he would have ordinarily received. In regard to the third charge the accused admitted making enquiries regarding the theft of tinned meat but was not present when the natives were beaten or ill-treated. He also admitted that he heard one WO YAHIRO order TAGAI to beat the natives. In regard to the fourth charge, the accused alleged that TOTALA and TOKARI were brought before him on a charge of stealing and he ordered them to be taken to their quarters. Later he found them hanging from the rafters and ordered that they should be cut down immediately.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)15
Ans 08

AWC No.....

Accused: Sgt Maj FURUKAWA Teizo

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 22 & 23 Jan 46
Formation: 11 Aust Div.

Charge(s)	Plea	Finding
TORTURING a civilian in that he at New Britain from about Nov 43 to about Jan 44 tortured Father John MAYRHOFER a civilian.	Not guilty	Guilty

Precis of Evidence: About the end of Nov 43 Father John MAYRHOFER of Ramall Mission was captured in the bush by members of the Kempei Tai and taken before the accused and another Japanese soldier who was not wearing badges of rank. The accused charged Father MAYRHOFER with giving assistance to the Australians and Americans. He was beaten by both Japanese with a stick and given ten minutes in which to confess otherwise he would be shot. At the end of that period Father MAYRHOFER was blindfolded after he had seen the accused load his revolver. He was then tied to a tree and the revolver was placed against his stomach and he heard the trigger being operated. The accused asked the prisoner if he wished to say anything and the prisoner said he wanted to pray. After a short while Father MAYRHOFER was untied and taken to a nearby stream and made to remove his clothes and lie on the ground. He was then held down to the ground and a towel was held firmly over his head. The accused and (PTO)

Sentence and Date: To suffer death by hanging. 23 Jan 46.

Confirmation and by Whom: Finding confirmed. Sentence commuted to imprisonment for 15 years and confirmed as commuted by Lt-Gen V.A.H. Sturdee Acting C-in-C AMF.

Promulgation: 12 April 1946

Petition: Petition lodged Jan 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence

Action on Petition: Finding confirmed and petition upheld.

Filed in Attorney-General's Department and Numbered.....

other Japanese then poured water on the towel causing Father MAYRHOFFER to swallow a considerable amount of water. He screamed and struggled but the ill-treatment was repeated at intervals of minutes over a period of between one and two hours until he almost became unconscious. He was then given dry clothes. He was kept handcuffed until the end of Dec 43. The handcuffs caused swelling and infected sores on his wrists. He was questioned by the accused every morning and afternoon and subjected to beatings. On 13 Jan 44 Father Mayrhofer was freed from his bonds and taken in captivity to Kokopa. Evidence to the above effect was given by Father Mayrhofer and it was in substance corroborated by a native witness named MATAAFA.

2. The accused gave evidence in his defence. He alleged that Father Mayrhofer had given the Japanese substantial information of movement of enemy troops and was treated by him with every kindness. He denied the ill-treatment as alleged.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Lt SAKATA, Jiro
Ensign YACHI, Sumio (Not guilty)
Ensign SHINOZAWA, Yoshiharu
W.O. KONNO, Hiroshi
Accused: Chief Petty Officer ARAI, KAKUZO
Chief Petty Officer ONO, Kaneichi (Not guilty)
Court, Place, RABAU
Date and 29 and 30 Apr 46.
Formation: 8 MD
AWC No. 2055, 2068, 2069, 2076, 2075, 2077.
Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
Murder at Ocean Is. on or about 20 Aug 45 of persons unknown.	Not guilty	YACHI and ONO not guilty. SAKATA, SHINOZAWA, KONNO and ARAI guilty.

Precis of Evidence: The evidence for the prosecution was to the effect that at the conclusion of the war with the Japanese a considerably number of natives were working for the Japanese on Ocean Is. The natives were informed of the cessation of hostilities and a number of them were later marched to the beach and shot by Japanese soldiers. The accused SAKATA admitted giving orders for the execution of the natives but claimed he was carrying out instructions received from his superior officer. The accused SHINOZAWA admitted tying the hands of the natives prior to the shooting and claimed he was carrying out the orders of his superior officer namely the accused SAKATA. The accused KONNO and ARAI both denied being present or taking part in the execution. Evidence was submitted to the effect that the accused KONNO had ordered the natives to sit down and face the East immediately prior to the executions and that the accused ARAI had blind folded the natives prior to the executions.

Sentence Guilty accused SAKATA death by hanging 30 Apr 46.
and Date: " " SHINOZAWA 15 years imprisonment 30 Apr 46.
" " KONNO 7 years imprisonment 30 Apr 46
" " ARAI 7 years imprisonment 30 Apr 46.

Confirmation
and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to each accused on 14 Aug 46. Accused SAKATA executed by hanging at RABAU on 15 Aug 46.

Petition: Petitions submitted May 46 by four convicted accused against finding and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

2056, 2060, 2065, 2063
2059, 2070, 2067

Lt YAMAGUCHI, Nobjaki, Sub Lt HIRAKI Sakai AWC No.....
Sub Lt TSUCHIINE, Masataro, Sub Lt HANAWA, Eiji
Accused: Sub Lt YOSHIDA, Itsuo, Ensign SUGINO, Aust W.C. List Ser No.....
Tsuchinosuke, Ensign YASUDA, Harumi

Court, Place, RABAU
Date and 1st May 46
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER at OCEAN IS. on or about 20 Aug 45 of persons unknown.	Not Guilty	All accused guilty

Precis of Evidence: The substance of the evidence called on behalf of the prosecution was to the effect that the accused YAMAGUCHI gave orders that a number of natives on Ocean Island were to be executed. A number of natives were assembled and divided into groups. They were marched under escort of Japanese soldiers to various sectors on the sea coast under command of the respective accused, with the exception of the accused YAMAGUCHI who was in command of all the parties. The accused YAMAGUCHI took up a position where some of the parties were within calling distance and others were in communication by telephone. The natives in the various parties were handcuffed and blindfolded. The accused YAMAGUCHI then issued to the other accused orders (in some cases by word of mouth and others by means of the telephone) to shoot the natives and in turn these accused gave orders to the Japanese soldiers under their respective commands to carry out such orders. In all approximately 70 natives were executed. The bodies were subsequently buried at sea. All the accused
(over)

Sentence and Date: The accused YAMAGUCHI sentenced to death by hanging - 1 May 46.
The accused HIRAKI, TSUCHIINE, HANAWA and YOSHIDA each sentenced to imprisonment for 20 years - 1 May 46.
The accused SUGINO and YASUDA each sentenced to imprisonment for 15 years - 1 May 46.

Confirmation and by Whom: Lt Gen V.A. H. STURDIE

Promulgation: Confirmation of finding and sentences promulgated to all accused (except accused YAMAGUCHI) on 30 Aug 46. Confirmation promulgated to accused YAMAGUCHI on 11 Oct 46. Executed at RABAU on 12 Oct 46.

Petition: Petitions submitted on 14 May 46 by all the accused.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss the petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered:

7

Precis of Evidence (contd)

admitted taking part in such executions and in their defence it was contended that they were obeying orders issued by a superior officer.

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

PL7 Ans. 82

AWC No. 2098

Accused: Civilian Employee SATO Hikoju

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 8 & 9 May 46.
Formation: 8 MD

Charge(s)	Plea	Finding
Murder at TRUK in or about Nov 1944 of IYOYEA and AKOKO, Nauruans.	Not Guilty	Guilty

Precis of Evidence: The deceased were employed by the Japanese as labourers for the NIK Farming Company. The accused was a civilian employee attached to the Japanese Navy. The deceased IYOYEA was arrested by Japanese and confessed that he had broken into the Farming Company's office with the intention of stealing some foodstuffs. The deceased stated that he had run away without taking anything. He was then beaten by the accused with a pick handle for a period of about 25 minutes until he was unconscious. A witness for the prosecution (a Nauruan named VINDON) was present and he was told to pour water on the deceased to revive him. The deceased was again beaten by the accused for a further period of about 10 minutes. Apart from the witness VINDON two other witnesses were present when the deceased IYOYEA was beaten. They were ordered by the accused to find and bring to him the deceased OKOKO. They found this man tied to a pole as though he had been carried on it. He was taken back to the accused who administered a beating with a pick handle for several minutes. The accused then ordered the (Over)

Sentence and Date: Death by hanging - 9 May 46.

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 30 Aug 46. Executed by hanging at Rabaul on 31 Aug 46.

Petition: Lodged May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

Precis of Evidence (continued: witnesses to release the deceased OKOKO and told him to stand up. He was in a very weak condition and in attempting to stand up he fell to the ground and hit his head. Two of the witnesses were ordered to tie the deceased together and leave them there. Next day the deceased were permitted to be removed to their quarters by witnesses. The deceased OKOKO did not regain consciousness and died the following morning. The deceased IYOYEA died the following day. It was submitted to the Court that the deceased died as a result of the beatings and the injuries resulting therefrom.

2. The accused in his defence stated that the deceased had been beaten by another Japanese and two Koreans. He admitted that he had administered whippings of fifteen strokes to each of the deceased with his cane walking stick. Later he heard the deceased died from malnutrition but that he had not heard as a result of beatings.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: Lt MITSUBA, Hisaneo
S/M TAKEI, Shizaki
S/M SHIMIZU, Hisao
Cpl ISHIYAMA, Kumakichi
L/Cpl YASUSAKA, Masaji
Court, Place, RABAU
Date and 21 and 22 Mar 46
Formation: 8 MD

AWC No. 2211, 2220, 2221, 2225,
2229.

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
MURDER of Sgt WARIAM SINGH and L/Cpl HAZARA SINGH Indian Army at Parom in Aug 44.	NOT GUILTY	ALL GUILTY

Precis of Evidence: In Aug 44 the 2 deceased who were members of 19 Indian. Working Party quarrelled with and beat another Indian who spoke to Takei. TAKEI, ISHIYAMA and YASUSAKA then beat the two deceased senseless and half an hour later bound them and took them away. SHIMIZU joined the party carrying a rifle. Soon after the Indians were shot on the orders of Lt MITSUBA by SHIMIZU and YASUSAKA and TAKEI and ISHIYAMA were present at the shooting.

MITSUBA alleged the deceased were not POW but were in the same position as civilians attached to the Japanese Army. He admitted ordering the shooting but alleged it was justified. He alleged quarrelling among the Indians hindered collection of food and ordered the shooting to deter further quarrelling. No trial of the deceased was held and Mitsuba's allegation that he was authorised by Lt IZUMI, his superior, was denied by that officer.

Sentence and Date: MITSUBA - TO SUFFER DEATH BY HANGING
All other accused - Imprisonment for 15 years

Confirmation and by Whom: Chief of General Staff - Lt-Gen V.A.H. STURDEE

Promulgation: Confirming of finding and sentences promulgated to all accused (except accused MITSUBA who committed suicide on 13 Apr 46) on 16 July 46.

Petition: Submitted 29 Mar 46 by all accused against finding and sentence of court.

J.A.G.'s Report on Petition: The Findings and Sentences should be confirmed and the petitions dismissed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a)) /WMcL /AR.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No. 2000, 2002, 2003

Accused: Capt IKEBA Toma
Lt. KATAGIRI Osamu
Lt. HIRONAKA Teruma
Court, Place, RABAU
Date and 14 and 15 May 46
Formation: 8 MD

Aust W.C. List Ser No.

Charge(s)	Plea	Finding
MURDER at TENINBAUBAU Bougainville in or about August 1944 of 9 Indonesians.	NOT GUILTY	ALL ACCUSED GUILTY

Precis of Evidence: The deceased were labourers and the defence alleged that they were volunteers for service in Japanese Army. The only evidence to this effect was that the deceased were captured PW and two of the accused namely Capt IKEBA Toma and Lt KATAGIRI Osamu stated they had been informed by 16th Army HQ that the deceased were volunteers. The prosecution relied on a written statement of Lbr BALLU SAMU which showed that a number of Amboinese who were employed as coolies were accused of stealing food. Fifteen of these Amboinese were selected for questioning and beaten until they admitted their guilt. When they refused to confess nine of them were selected and made to dig their own graves and then shot.

2. The accused gave evidence in their own defence and they admitted they made the decision to have the deceased executed and claimed that they were justified in so doing because a trial had been conducted and further that the executions were justified by a superior officer. (Over).

Sentence and Date: DEATH BY HANGING 15 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences not promulgated to accused. Accused IKEBA executed by hanging at Rabaul on 13 Aug 46 in respect of Rabaul Court No.87. Accused HIRONAKA and KATAGIRI both executed at Rabaul by hanging on 13 August 46 in respect of Rabaul Court No.72.

Petition: Submitted by all accused against findings and sentences - 27 May 46

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

7

AUSTRALIAN MILITARY FORCES

AAF A117(a)
(Introduced Jan 46)
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DPW(AG13(2a))/WMcL/AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2240

Accused: Capt OKUBO Masao

Aust W.C. List Ser No.

Court, Place, Date and Formation: RABAU
22 May 46
8 MD

Charge(s)	Plea	Finding
MURDER of (1) SEPOY BINDRU RAM about Sep 44 at NEW GUINEA (2) SEPOY GARJU RAM about Nov 44 at NEW GUINEA	Not Guilty	GUILTY - Both charges

Precis of Evidence: 1. During the move from PAROM to MOI, New Guinea BINDRU RAM was unable to keep pace with the main body as he was weak from malnutrition and Japanese stores he was carrying were too heavy for him. L/Cpl SHINGETAKA beat him and he was left behind but arrived at MOI three days later and reported to SHINGETAKA who spoke to Lt OKUBE. SHINGETAKA then bound BINDRU RAM to a tree and passed a rope tightly around his neck thus strangling him. 2. About Nov 44 at KURRINGE No.1 Indian PW Camp SEPOY GARJU RAM was cutting grass to eat. L/Cpl SHINGETAKA questioned him as to why he was not out on fatigue and then beat him. GRAJU RAM was dazed and walked out into the jungle but was brought back. SHINGETAKA then bound GARJU RAM, passed a rope around his neck and hung him to a tree. The accused stated that SHINGETAKA reported that BINDRU RAM had died by accident due to his weakened condition and that GARJU RAM had died in similar circumstances. He reprimanded SHINGETAKA for his conduct but admitted that he had since been promoted to Cpl and Sgt.

Sentence and Date: Death by Hanging
22 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 23 Aug 46. Accused executed by hanging at Rabaul on 30 Aug 46.

Petition: Lodged 30 May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2236, 2240, 2237.

Accused: Maj KUDO, Masao
Capt KOBAYASHI, Namio (Not guilty)
" NISHIO, Toshihiro.

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 26-28 Mar 46
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER of three Indian PW at SANGRIMAN about Jul 45.	Not guilty	Maj KUDO) Guilty Capt NISHIO) Manslaughter Capt KOBAYASHI - Not guilty.

Precis of Evidence: Three Indian PW were alleged to have signalled Allied planes indicating Unit layout and topography. Capt NISHIO, one of the accused states that he interrogated the Indians who confessed and he reported to Maj KUDO.

Maj KUDO admits ordering the execution of the Indians without trial under authority 18th Army Emergency Punishment Order.

Capt NISHIO admits shooting the three Indians with a pistol and claims he acted under Maj KUDO's orders.

Capt KOBAYASHI was present at the execution in his capacity of Medical Officer.

Sentence and Date: Maj KUDO, Masao - Imprisonment 10 years.
Capt NISHIO, Toshihiro - " 7 "
28th Mar 46.

Confirmation and by Whom: Chief of the General Staff - Lt-Gen V.A.H. Sturdee.

Promulgation: Confirmation of finding and sentences promulgated to each accused on 21 Jun 46.

Petition: Submitted 8 Apr 46 against findings and sentences of the Court.

J.A.G.'s Report on Petition: Findings and Sentences should be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2917

Accused: Col KIKUCHI, Satoru

Aust W.C. List Ser No.

Court, Place, RABAUL
Date and 28-29 Mar 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER of a Chinese man at MASSOWA plantation about Oct 44.	Not guilty	Guilty

Precis of Evidence: In Oct 44 a Chinese prisoner held by Japanese was beheaded by Sgt/Maj INAGAKI on a written order from Col KIKUCHI.

claimed by the Defence No court martial or other formal trial *had been* held but it was alleged that there had been an investigation by Inagaki of alleged war crimes and acts of hostility by the Chinese against the Japanese. *The*

maintained Accused admitted that he had ordered the death of deceased but alleged there was sufficient evidence for him to be satisfied of the guilt of the Chinese and he had carefully examined that evidence.

He alleged that the serious war situation justified his order, though no court martial was held and that the investigation made by Inagaki and his decision constituted a summary trial which was legal under Japanese military law.

Sentence and Date: To suffer death by hanging. 29 Mar 46.

Commutated to 7 years' imprisonment. 8 Jul 46.

Confirmation and by Whom: Confirmed by Lt-Gen V.A.H. Sturdee - 11 Jun 46. Commuted to 7 years' imprisonment. 8 Jul 46.

Promulgation: Confirmation of finding and sentence as commuted promulgated to accused on 2 Aug 46.

Petition: Submitted 11 Apr 46 against finding and sentence.

J.A.G.'s Report on Petition: Finding and sentence should be confirmed and petition dismissed.

Action on Petition: Dismissed. Further petition upheld.

Filed in Attorney-General's Department and Numbered.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2802, 2807, 2811

Accused: Capt NAKAMURA Moriyuki
Lt FUKUHARA Shozo
L/Cpl KASUYA, Shohei (not guilty)
Court, Place, RABAU
Date and 13 Apr 46
Formation: 8 MD

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
MURDER at NISHI ZAKIYAMA about 29 Nov 44 of two named Indian PW	ALL NCT GUILTY	KASUYA - Not Guilty NAKAMURA and FUKUHARA - Guilty

Precis of Evidence: Accused NAKAMURA admitted that he ordered the two Indians to be shot and FUKUHARA admitted he was in charge of the firing squad of which KASUYA was a member. The Japanese justified the killing by alleging that it was done after investigation had proved the deceased Indians had stolen rice and were attempting to desert.

The prosecution alleged that the Indians had been consistently starved, that the Japanese had themselves hidden two bags of rice and falsely accused the Indians of stealing it as a reprisal for their complaints of inadequate food.

Sentence and Date: Both guilty accused death by hanging - 13 Apr 46

Confirmation and by Whom: Chief of General Staff - Lt-Gen V.A.H. Sturdee

Promulgation: Confirmation of finding and sentences promulgated to both convicted accused on 31 July 46. Both accused executed by hanging at Rabaul on 1 Aug 46.

Petition: Submitted Apr 46 by both accused against findings and sentence.

J.A.G.'s Report on Petition: ~~Dismissed~~. Confirm finding and sentences and dismiss Petitions

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

DPW(AG13(2a))/ WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R98 Aug 147

AWC No. 2619

Accused: Col TAKAYA Morisaburo

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 31 May 46 - 1 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER at RABAU in or about July 1944 of MOHD HUSSAIN	NOT GUILTY	GUILTY

Precis of Evidence:

1. The evidence for the Prosecution was documentary and was to the following effect. The deceased was a Sepoy in the Indian Army and one of a number of captured Indians who were employed as labourers by a unit of the Japanese Army known as 26 Motor Vehicle Depot. The accused commanded such unit and was in charge of the Rabaul petrol supplies in the middle of 1944. In May 1944 the deceased escaped from the Japanese and when he was recaptured he was flogged and placed in a specially constructed cell having dimensions of 4' x 4'. The reason given for his escape in the first instance was that he was suffering from a tropical ulcer on his right foot and could not manage to carry out fatigues. The Japanese refused to exempt him from such fatigues. The cell was so small that the deceased could not lie down or stand up and had to remain in a sitting posture. After remaining in the cell for a week, during which time he was repeatedly beaten by his guards (Over)

Sentence
and Date: IMPRISONMENT FOR 10 YEARS - 1 JUNE 1946Confirmation
and by Whom: Finding and sentence quashed by Lt-Gen V.A.H. STURDEEPromulgation: The fact that finding and sentence quashed promulgated to
accused on 11 Oct 46.

Petition: Lodged 15 June 1946 against finding and sentence.

J.A.G.'s Report on Petition: Finding and sentence be not confirmed and petition
be upheld.

Action on Petition: Upheld.

Filed in Attorney-General's Department and Numbered

Precis of Evidence (contd) :

the deceased broke down the door and escaped. He was recaptured on 7 July 44 and on or about 19 July 44 the deceased was executed by order of the accused.

2. The accused in evidence alleged that deceased was attempting to escape from the Japanese to the Allied Armies. He stated that he sent a Warrant Officer named NADA to interview Maj Gen YAJAMA, the Japanese Chief Judicial Officer at HQ 8th Army Group to obtain his opinion as to what action could be taken against the deceased. He further stated that the said NADA reported back to him and said the Indian could be executed. The accused stressed the point and said to NADA "That means a court martial is not necessary, is that so?" NADA said "Yes". The witness NADA detailed the conversation he had with the Chief Judicial Officer and what he passed on to the accused. He said (inter alia) to the accused "I asked what should be done to an Indian who escaped twice." "I was explained about a court martial but I could not clearly understand." "Any how he told me that he would leave that punishment up to the Unit Commander". "I was asked what the Indian was and I replied that he was a labourer."

It was further submitted on behalf of the accused that the deceased had contracted on parole as a labourer in the Japanese Forces and that the deceased had forfeited his rights as a PW.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)K97
2135
AWC No.

Accused: Civilian Officer YAMASAKI Daijiro

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 3 & 4 Jun 46
Formation: 8 MD

Charge(s)	Plea	Finding
1. MURDER at New Ireland in or about Dec 44 Jan 45 of SETTO WING FAT an inhabitant of New Ireland.	Not Guilty	Guilty of Manslaughter on 1st charge Not guilty on 2nd charge
2. (Alternatively to 1st charge) Violation of the Laws & usages of War to wit - ILL-TREATMENT at New Ireland in or about Dec 44 - Jan 45 of Seeto Wing Fat, an inhabitant of New Ireland.	Not Guilty	

Precis of Evidence: The deceased along with a number of Chinese were former residents of the mandated territory and were interned by the Japanese Forces. The accused was in charge of a camp of these Chinese Internees. The case for prosecution relied on the evidence of seven Chinese witnesses and the interrogation of the accused which was reduced to writing and put in evidence.

2. The substance of the evidence of the witnesses for the Prosecution was as follows. The deceased was considered by the accused to be guilty of a breach of the camp regulations and he ordered certain Chinese to inflict punishment consisting of being tied to a tree for a lengthy period and imprisonment in a very confined space. The witnesses differed in regard to the period of time the deceased was tied to the tree ranging from two days and a night to two weeks. One witness stated that the deceased was bound to the tree with a wire, a chain and a piece of rope and he was not
(over)

Sentence and Date: IMPRISONMENT FOR 10 YEARS - 4 JUN 46.

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 30 Aug 46.

Petition: Lodged 17 Jun 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirmation of finding and sentence and dismissal of petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

Precis of evidence (contd):

to be given any food for two days. When the deceased was released from the tree he was in a weak condition and his wrists were swollen and bleeding caused by the bonds. Prior to being tied to the tree the deceased has been in a reasonable state of health except for an ulcer on his foot and a wound on his head. He was imprisoned in a hut and was tied to a post with a chain. His hands were tied behind his back. The deceased was imprisoned for a long period and he died whilst imprisoned. The witnesses varied in their statements as to the length of imprisonment. The alleged period of imprisonment ranged from four months to a month. Whilst in prison his state of health deteriorated very quickly and one witness described the ulcer on his foot as "having worms in it".

3. The accused in evidence denied responsibility for the punishment meted out to the deceased. He stated that a body of Chinese constituted themselves into Public Peace Section and they made regulations for the control of all the Internees. The accused said he acted in the capacity of an adviser only and that the Public Peace Section was responsible for the deceased being tied to the tree and the imprisonment. The period he was so tied of several hours duration only and he was then imprisoned for about a month before he died. A doctor visited the Camp twice every week but he did not direct that the deceased need be given attention. He heard that the deceased died as a result of malaria.

Medial case

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No. 2803

Accused: Cpl OGATA Sakari

Aust W.C. List Ser No.

Court, Place, Rabaul, 11 & 12 June 46
Date and 8 MD.
Formation:

Charge(s)	Plea	Finding
ILL-TREATMENT OF PRISONERS OF WAR at New Britain between June 1943 and August 1945 ill-treated a number of Indian Prisoners of War.	Not guilty	Guilty

Precis of Evidence: 1. The evidence for the prosecution consisted of documentary evidence containing written statements made by Lt-Col SYED MOHD ISHAQ, Capt ANS CHARMARETTE, Sgt Maj N.B. RAMARU, Capt MOHAMMED ZAKAULLAM QURESNI, Sepoy PURAN SINGH, Sepoy SYED PASHU and the interrogation of the accused reduced to writing and signed by the accused. The Indian personnel above referred to were all members of 1 Bn Hyderabad Inf and had been taken prisoner by the Japanese in Singapore and shipped to New Britain. The accused was a Nursing Orderly in charge of Indian patients and it was alleged in the statements of the witnesses that he committed acts of the utmost brutality.
2. The statement of Lt-Col SYED MOHD ISHAQ showed (inter alia) that the following acts of ill-treatment were committed by the accused. He refused to give drugs and medicines to Indians suffering from illnesses. He traded the drugs and medicines for fruit, vegetables and chickens for his own use. He made a practice of treating ulcers and abscesses with an (P.T.O)

Sentence and Date: To suffer death by hanging 12 June 46.

Confirmation Finding confirmed but sentence commuted to imprisonment for 20 years and confirmed as commuted by Lt Gen V.A.H. STURDEE.

Promulgation: Finding and sentence as commuted and confirmed promulgated to accused on 17 Oct 46.

Petition: Lodged 25 June 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirmation of finding but recommends commutation of sentence to long term of imprisonment.

Action on Petition: Petition in so far as finding confirmed dismissed but upheld in so far as sentence concerned.

Filed in Attorney-General's Department and Numbered

old tooth-brush. He would press the ulcer or abcess with the brush and then apply sulphur extracted from aerial bombs. This treatment would cause the patient to cry out in pain and the accused showed visible signs of pleasure at the suffering of the patient. On various occasions he thrashed PW into a state of unconsciousness. At times he struck them with his fists or kicked them or he indulged in assaults using a combination of punching, striking with sticks and kicking. He repeatedly assaulted sick Indians who reported to him requesting to be placed on the sick list telling them that beating was the best medicine.

3. The statement by Capt Charmarette contained (inter alia) general statements of ill-treatment meted out by the Japanese to PW. In particular, he witnessed cases where the accused cut off pieces of flesh around ulcers in orders to make the wound larger resulting in numerous fatal cases of gangrene. The statement of Sgt Maj N.B. RAMARU also contained evidence of brutal treatment by the accused in cutting out large pieces of flesh from ulcerated sores and if a patient called out in pain the accused beat the patient unmercifully.

4. The statement by Capt MOHAMMED ZAKAULLAM QURESNY contained (inter alia) evidence to the effect that an Indian PW who had been suffering from dysentery and had been a patient for two months was forced by the accused to march with a party of Indians for a distance of 25 miles. On the journey the Indian told the accused he could not march any further and the accused kicked him in the face. On the remainder of the journey, the accused kicked the Indian in the face and on his back at least 50 times. On arrival at the destination, the Indian became unconscious, and remained in this state until he died 24 hours later. On another occasion the accused attempted to inject an Indian with 5cc of morphine which would have caused the death of the man. When the witness remonstrated with the accused the accused said "I want to get rid of him". The patient was then thrown into a tunnel and died the following day.

5. The statement of PURAN SINGH contained corroborative evidence of ill-treatment by the accused of sores and corroborative evidence of ill-treatment by the accused in beating an Indian patient who was sick. The patient became mentally deranged and he was again beaten by the accused and was not given any treatment or medicine. The patient later commenced to pass blood and next day he died.

6. Evidence was given by the accused in his defence. The defence also called witnesses to corroborate the evidence of the accused and in regard to his keenness to carry out his duties as a medical orderly and his general good character. The accused in evidence stated that at all times he worked under instructions of medical Lt HONDA Chikao. He admitted that he treated ulcers by removing gangrenous portions in accordance with directions given to him. On occasions he slapped Indians when they called out in pain in order to cause them to control themselves. On other occasions he slapped Indians because they did not carry out the treatment he ordered them. The slappings were with his open hand and were not at all severe and were in the nature of a reprimand. Apart from such slappings he denied all allegations of assault and ill-treatment. He alleged he used the yellow gunpowder extracted from bombs for washing and applying the wounds and that he had been taught to use this substance by a medical officer who was a specialist in surgery. He denied that he had any authority to use injections of morphine or any other drugs. All such drugs were kept by the medical officer himself. He denied all knowledge of the allegation that he had attempted to give an Indian injection of morphine or that the Indian had been placed in a tunnel. In regard to the allegation whereby an Indian PW was made to march 25 miles the accused alleged that the distance that the sick prisoners were compelled to cover was very short. Two Indian patients were conveyed as far as possible in a truck. He did not recall any Indian named SHAIK BUDHAM. He recalled Capt MOHAMMED ZAKAULLAM asking that an Indian be permitted to ride in the truck and the patient was taken as far as possible. On arrival at the destination

he sent the Indian patient to a sanatorium and heard later that he died. He recalled the case of an Indian becoming insane and he said he had a clear conscience in regard thereto. Medical Lt HONDA Chikao gave evidence that the accused served under him. The witness stated that the accused treated unclers thoroughly and he was impressed with his work. He also stated that the accused had not used a tooth brush as alleged and that he had treated wounds with picric acid taken from ammunition as instructed by him (Lt HONDA) and a Japanese specialist. He did not permit the accused to use morphine or any other dangerous drugs but kept them in his own possession. He recalled the case of ABDUL RAHMAN who became mentally deranged as a result of malaria and acute enteritis. He examined the prisoner's body and there were no signs of violence thereon.

Four other witnesses gave evidence. One witness partly corroborated the evidence of the accused regarding the Indian patient being conveyed in a truck as far as possible. The other witnesses gave evidence regarding the care taken by the accused in treating patients and his general good character.

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Four other witnesses gave evidence. One witness partly corroborated the evidence of the accused regarding the Indian patient being conveyed in a truck as far as possible. The other witnesses gave evidence regarding the care taken by the accused in treating patients and his general good character.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Case 114.

2nd/Lt MUKOHATA Sodami
Capt KUBO, Hisakichi

AWC No. 2755, 2764

Accused:

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 25, 26, 29, 30 and 31 July 1946.
Formation: 8 MD.

Charge(s)

Plea

Finding

(See attached)

Precis of Evidence: The evidence adduced by the prosecution was documentary and consisted of written statements made by Jemadar KHUSAL SINGH, Naik SULAKHAN SINGH, Lt R.K. SAKSENA, Naik RAM SINGH contained in a document and also the interrogations of each of the accused reduced to writing and signed by them.

2. In regard to the 1st charge the substance of the evidence was as follows: Sepoy KEHAR SINGH was a PW in Japanese hands at NISHIHODAI along with other members of the Indian Army. In July 1945 he contracted Beri Beri. In spite of the fact that his feet were very much swollen he was forced by the Japanese to carry out fatigues. He was repeatedly beaten and ill-treated and on 25 July 1945 he was sent to MOMORIYAMA. He was compelled to walk the distance of 6 miles and to carry his baggage and bedding. On 25 July 44 he reported to Lt- SAKSENA, an Indian Army Medical officer. It took KEHAR SINGH approximately 12 hours to cover the distance. When Lt SAKSENA examined KEHAR SINGH

Sentence and Date: Accused MUKOHATA S - TO BE IMPRISONED FOR 25 YEARS - 31 July 46
" KUBO H. - TO BE IMPRISONED FOR 15 YEARS - 31 JULY 46.

Confirmation
and by Whom:

Lt. Gen. V. A. H. STURDEE. Finding & sentence respecting 1st charge confirmed. Finding & sentence respecting alternative charge to 3rd charge not confirmed. (action non-information)

Promulgation:

Confirmation of finding and sentences promulgated to the accused on 18 Dec 46

Petition:

Petitions lodged 10 Aug 46 by both accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition in respect of the 1st charge. That the finding and sentences in relation to the alternative charge to the 3rd charge be not confirmed. The petition of the accused KUBO be upheld and the petition of the accused MUKOHATA in so far as it relates to the alternative charge to the 3rd charge be upheld. Action on Petition - Petition of accused MUKOHATA in regard to 1st charge dismissed. Petition of both accused in regard to alternative charge to the 3rd charge upheld. Filed in Attorney-General's Department and Numbered..... 3 charges upheld.

his whole body was swollen, and he was noticeably marked on the legs and lower abdomen. He was breathing with difficulty and fluid was present in both lungs and abdomen. The only available quarters was a hut which was already crowded and the atmosphere from ulcers was very unpleasant. The accused MUKOHATA was informed but refused to supply medicine. He said he would see him in the morning. Next morning the accused saw KEHAR SINGH along with other patients on sick parade. He ordered KEHAR SINGH to go on fatigue duty saying: "He does not look as ill as you told me last night". "His only medicine is tapioca which he will get if he works for it." KEHAR SINGH was sent on fatigue duty next day and the day following and on the last day (27 July 45) he was carried into his quarters by fellow Indians. He was in a serious condition and his features were so bloated that he was scarcely recognisable. Lt SAKSENA persuaded the accused to examine KEHAR SINGH and the accused said "Yes, no need to take him on fatigue because he will be a guest of this world for two or three days." When asked to give some medicine to relieve his pain the accused said "No medicine for Indian slaves". "Let him die - that means one less mouth to feed." KEHAR SINGH died on 1 August 1945.

3. The accused MUKOHATA gave evidence in his defence to the first charge. In substance he denied ill-treatment. He denied that he had ordered the Indian to perform fatigues and stated that he had given him every possible treatment.

4. In connection with the 2nd charge the accused MUKOHATA was found not guilty.

5. In connection with the 3rd charge both accused were found not guilty. In regard to the alternative charge to the 3rd charge the substance of the evidence adduced by the prosecution was as follows:- Certain Indian PW were to be moved from KOKOPO to MUNAMISAKI during March 1944. Of the party there were 40 Indians suffering either from ulcers or beri beri. Lt SAKSENA, an Indian medical officer requested transport for those suffering from ulcers or Beri Beri for the journey which was a distance of 6 miles. The accused MUKOHATA looked at the patients and beat them with a bamboo. He told them that if they could not walk the distance of 6 miles he would shoot them. They were then made to make repeated journeys back to KOKOPO to carry rations. The physical condition of these Indians deteriorated but no medicine was provided. Lt SAKSENA had some medicines of his own which he used to restore the health of these Indians. On one occasion when 170 Indians were suffering from ulcers or beri beri. Lt SAKSENA requested medicines for them. The accused replied by saying that they were not here on a picnic tour and it would be better for those, who cannot keep themselves fit, to die and that would mean more food and medicine for Japanese officers and soldiers. Lt SAKSENA requested to be paraded to higher authority. The accused MUKOHATA stated "You surrendered at Singapore unconditionally. It is our will to treat you as we like and if you say a single word more, we will skin you and your men. Whilst at MOMORIYAMA the accommodation was hopelessly inadequate and a number of prisoners were quartered in a tunnel. The crowding in the hut and the quartering in the tunnel increased the incidence of sickness. Approximately 60 Indians died through lack of medicines and lack of proper quarters.

ATTACHMENT TO AAP A117(a)

CHARGES

Charge(s)	Plea	Finding
MURDER		
(1) (Charge against accused MUKOHATA only) at KOMORIYAMA between 25 July 1945 and 1 August 1945 of Sepoy KEHAR SINGH of 3/16 Punjab Regt an Indian prisoner of war.	Not guilty	Guilty
(2) (Charge against accused MUKOHATA only] at FUJIMITAI between 11th and 15th October 1944 of 13117 Sepoy KARTAR SINGH an Indian prisoner of war.	Not guilty	Not guilty
ALTERNATIVELY - ILLTREATMENT - at FUJIMITAI between 11th and 15th October 1944 of Sepoy KARTAR SINGH an Indian Prisoner of War.	Not guilty	Not guilty
(3) (Charge against both accused) at KOMORIYAMA between January 1945 and August 1945 of several Indian prisoners of war.	Not guilty	Not guilty
ALTERNATIVELY - ILL-TREATMENT at KOMORIYAMA between January 1945 and August 1945 in failing to provide prisoners of war with proper medical care, food and quarters.	Not guilty	Both accused guilty

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Cpl AYIZAWA Harumoto

Aust W.C. List Ser No.....

Court, Place, RABAUL
Date and 14 Feb 46
Formation: 11 Aust Div

Charge(s)	Plea	Finding
MURDER (1) at RABAUL on or about 29 Jan 43 of Ptes SO LO SUNG, SUI YOONG CHEONG, SIN SIT MING, GOR TAI YEE, CHAI SEE DOE, YEE SUNG PING, GO TAI YONG, CHON KUI SANG, PAN YOONG MING & CHICK SUI SUNG, Chinese soldiers	Not Guilty	Guilty
(2) at RABAUL on or about 4 Feb 43 of 2nd Lt CHAN KURE MING, 2nd Lt PUN YEN JOONG, Sgt PUN CHAN MING, Ptes CHEE YOKE LIN, LOOK SOON CHING and SING JEE MING, Chinese soldiers	Not Guilty	Guilty

Precis of Evidence: (1) A large number of soldiers of the Chinese Army were PW in Japanese hands at Rabaul. It was alleged that on 29 Jan 43 the Chinese named in the charge were in very poor state of health. Their food was quite insufficient and their living conditions were extremely bad. The accused ordered the 10 Chinese named in the charge to march to a place where a hole had been dug. There were a number of Japanese there and the Chinese were forced into the hole and shot. The accused took part in the shooting. On the 4th Feb 43 the Chinese named in the 2nd Charge were marched to an appointed place where a hole had been excavated and they were executed by shooting. The accused selected the Chinese included in this squad and was also present at the execution. He was in charge of both firing squads and although there was direct evidence to show that he took part in the first firing squad, there was no direct evidence that he actually did any shooting on the second occasion. Three Chinese witnessed both executions and they gave evidence for the prosecution. (See over)

Sentence IMPRISONMENT FOR LIFE - 14 Feb 46
and Date:Confirmation Confirmed by GOC 11 Aust Div
and by Whom:Promulgation: Confirmation of finding and sentence promulgated to the
accused on 16 Feb 46

Petition:

J.A.G.'s Report on Petition: Not applicable.

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

Precis (contd)

5 2. The accused in evidence admitted he gave the orders for the shooting of the Chinese named in both charges but denied that he fired any shots. He also denied being present at the second execution. He alleged that all of the Chinese were on the verge of death and that Maj LEE WAI SIN (who gave evidence for the prosecution) who was a PW and in charge of all the Chinese had instructed him to conduct the executions. The accused further stated that he discussed the question with his Commanding Officer who stated that the request of Maj LEE WAI SIN should be carried out.

77
~~Have labor~~ ⁿ

Maltreatment

of forced labor

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

2021, 2020

Accused: Sgt Maj IIDA, Einosuke
Sgt NAKAZONO, Hidemori

AWC No.....

Aust W.C. List Ser No.....

Court, Place, RABAUL
Date and 8 June 46
Formation: 8 MD

Charge(s)	Plea	Finding
VIOLATION OF THE LAWS AND USAGES OF WAR in that at BUIN in or about 1943 unlawfully assaulted a number of Chinese nationals	NOT GUILTY	Both accused GUILTY

Precis of Evidence: The evidence for the prosecution consisted of statutory declarations by CHONG SY KWONG and KWUNG LIM. Both the accused were identified by means of photographs. The substance of the evidence adduced by the prosecution was as follows: on one occasion in 1943 the accused IIDA entered the Chinese Quarters and ordered 28 of them to go outside. He then struck these men a number of blows on the face with a leather belt and if they tried to protect their faces he hit them on the body. He then ordered them to take picks and shovels and made them keep digging for about 4 hrs until it was midnight. On another occasion during the evening two Chinese were quarrelling and the accused IIDA struck one of the Chinese several blows with his fist. The following morning whilst the accused NAKAZONO held this Chinese on the ground the accused IIDA poured water into his mouth and nose. The accused IIDA
(over)

Sentence and Date: TO BE IMPRISONED FOR 12 MONTHS - 8 JUNE 46

Confirmation and by Whom: Finding and sentences confirmed by Col J. CROMBIE Deputy Adjutant General (Personal Services)

Promulgation: Confirmation of finding and sentences promulgated to each accused on 9 Oct 46.

Petition: Both the accused have given oral notices that they do not intend to lodge petitions.

J.A.G.'s Report on Petition: Confirm findings and sentences

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (contd):

then threatened this Chinese with his revolver and blindfolded him. The Chinese pleaded for mercy and the accused let him go. The accused NAKAZONE repeatedly punished Chinese when they did not understand his orders.

The accused IIDA admitted that he had made Chinese weed a garden at night. He denied striking a number of Chinese with his belt. On the occasion when the two Chinese had quarrelled he admitted slapping one of them with his hand. He admitted threatening to shoot him if he quarrelled again but did not blindfold the man's eyes. He also admitted that he had commenced to pour water into the mouth of the Chinese but no one had held him. He only poured a few drops when the man apologised. The accused NAKAZONO admitted being present when this incident took place.

DPW(AG13(2a)) /WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2376

Accused: C/Cpl ARITAKE Hideo

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 12 Jun 46
Formation: 8 MB

Charge(s)	Plea	Finding
VIOLETION OF THE LAWS AND USAGES OF WAR to wit at New Britain about 8 Aug 45 assaulted NG YOKE SEE, CHAY CHOY, POOK SOON KHAN, YEUN CHEE YEUN and POONG YIN, Chinese Nationals.	Not Guilty	Guilty

Precis of Evidence: The persons named in the charge were Chinese nationals conscripted in Japan and brought to Rabaul. Evidence for the prosecution was given by NG YOKE SEE to the effect that he and the other Chinese named in the charge were employed by the Japanese as labourers. The Chinese were engaged doing certain duties in connection with a distillery for making alcohol. The witness alleged that on 8 Aug 45 the accused stole four bottles of wine which had been made at the distillery. Later on the same day, the accused accused the Chinese of stealing goods from the store and asked them to confess. The Chinese would not confess and they were taken into a cave and he struck each of the Chinese three times on the body with a stick about 4 feet long and 3 inches in diameter. He again asked them to confess to the theft and they again refused. The accused struck them again with the stick until 4 of the Chinese were rendered unconscious. The Chinese reported to a Major named OKAHARA but he did not take any notice of the complaint. (See over for remainder)

Sentence and Date: To be imprisoned for 6 months. 12 Jun 46.

Confirmation and by Whom: Confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 9 Oct 46.

Petition: Petition lodged 18 Jun 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss the petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

2. Evidence for the defence was given by the accused and Maj. OKAHARA. The accused admitted that on one occasion when the Chinese refused to confess to the theft of alcohol, he became irritated and lost his temper and slapped the Chinese as a warning. The witness for the defence corroborated the evidence of the accused that the Chinese were in the habit of stealing alcohol.. He also stated that he punished the accused because he had slapped the Chinese. The accused also denied that he had ever struck the Chinese with a stick.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans. 83

Accused: Sgt SAKAMOTO Takaharu
Civilian Employee SYOJI, Takashi
Civilian Employee ANETAI, Soji.

AWC No. 2096, 2100, 2101.

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 10 May 46
Formation: 8 MD.

Charge(s)	Plea	Finding
VIOLATION of the laws and usages of war at TRUK on or about 28 Aug 44 to wit cruelly beating Ruben FOLIAPE, Marie FOLIAPE, Rudolph HARRIS Albert HARRIS, Julius CAPELLE, Diema Karl HARTMAN, Willie HARTMAN, Emanuel HARTMAN, Karter, Father Pierre CLIVAZ, and Father Alois KAYSER.	Not guilty	All accused guilty excepting the words Diema Karl HARTMAN, Emanuel HARTMAN, KARTEN, Willie HARTMAN.

Precis of Evidence: The facts in this case are as follows. On 21 Aug 43 a number of Nauruans were brought to TRUK by the Japanese for the purpose of employment on Japanese farms. Among such Nauruans so conveyed were Ruben FOLIAPE and the other Nauruans named in the charge. The Nauruans together with Father CLIVAZ and Father KAYSER were suspected by the Japanese of engaging in espionage and were taken into custody for questioning. Whilst the persons were in custody for questioning they were severely beaten by all the accused. The said Ruben FOLIAPE was tied to a tree with his hands above his head and his toes just touching the ground. Whilst in this position he was beaten and the accused went and had their lunch. After lunch further beatings were given and the persons in custody were released. Next day the persons named in the charge were taken from TARKA to DUELOON where they were subjected to further questioning. For two days they were questioned and the ration of food consisted of a ball of rice (about the size of a tennis ball) three times a day. At night time they

(PTO)

Sentence and Date: Each accused 5 years' imprisonment. 10 May 46.

Confirmation and by Whom: Findings and sentences in case SAKAMOTO and SYOJI confirmed. Finding and sentence in case accused ANETAI not confirmed. Lt-Gen. V.A.H. Sturdee.

Promulgation: Confirmation and non-confirmation of finding and sentences promulgated to respective accused on 30 Aug 46.

Petition: Lodged by all accused against findings and sentences.

J.A.G.'s Report on Petition: SAKAMOTO and SYOJI - confirm findings and sentences and dismiss appeals. ANETAI - refer proceedings back to Court for review and consequent alteration of sentence. If Court

Action on Petition: cannot be reassembled then finding and sentence be not confirmed. Petition of accused ANETAI upheld.

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (continued) :- were locked in a dugout. On the third day all the persons in custody were released with the exception of Father CLIVAZ, Father KAYSER and Reuben FOLIAPE. The said Reuben FOLIAPE was closely questioned about the alleged ownership by him of a radio set. On one occasion he was forced to kneel with his hands tied behind his back and the accused SAKAMOTO threatened to execute him with his sword. He was then permitted to stand up and the accused SAKAMOTO drew his revolver and threatened him with shooting if he did not tell the truth. He was then whipped by Japanese Labor Policemen at the direction of the accused SAKAMOTO until he passed into unconsciousness. The said Fathers and the said Reuben FOLIAPE were then imprisoned for fifteen days in a very small cell in which there was barely room for all of them to lie down. In the day time the guards made them remain in a sitting position and would not allow them to lie down or stand up. During this period they were questioned at intervals. The Fathers were then told that they would have to work on farming projects and Father KAYSER refused on behalf of the other two to do so. They were then denied any food and lived on foodstuffs given to them by the natives. The three men were then released and the health of Father KAYSER, who was never in a strong physical condition, quickly deteriorated. Approximately five weeks after his release Father KAYSER died. The evidence submitted on behalf of the prosecution was contained in written statements by those subjected to ill-treatment and in interrogations of the accused which were reduced to writing.

2. The accused gave evidence in their defence and denied that they had inflicted beatings as alleged. They admitted that they had slapped the faces of certain of the persons named in the charge.

3. In regard to the accused ANETAI there was no evidence tendered by the Prosecution that he had beaten anyone except the said Rudolph HARRIS.

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Labor

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No. 2096, 2100, 2101.

Accused: Sgt SAKAMOTO Takaharu
Civilian Employee SYOJI, Takashi
Civilian Employee ANETAI, Soji.

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 10 May 46
Formation: 8 MD.

Charge(s)	Plea	Finding
VIOLATION of the laws and usages of war at TRUK on or about 28 Aug 44 to wit cruelly beating Ruben FOLIAPE, Marie FOLIAPE, Rudolph HARRIS Albert HARRIS, Julius CAPELLE, Diema Karl HARTMAN, Willie HARTMAN, Emanuel HARTMAN, Karter, Father Pierre OLIVAZ, and Father Alois KAYSER.	Not guilty	All accused guilty excepting the words Diema Karl HARTMAN, Emanuel HARTMAN, KARTEN, Willie HARTMAN.

Precis of Evidence: The facts in this case are as follows. On 21 Aug 43 a number of Nauruans were brought to TRUK by the Japanese for the purpose of employment on Japanese farms. Among such Nauruans so conveyed were Ruben FOLIAPE and the other Nauruans named in the charge. The Nauruans together with Father OLIVAZ and Father KAYSER were suspected by the Japanese of engaging in espionage and were taken into custody for questioning. Whilst the persons were in custody for questioning they were severely beaten by all the accused. The said Ruben FOLIAPE was tied to a tree with his hands above his head and his toes just touching the ground. Whilst in this position he was beaten and the accused went and had their lunch. After lunch further beatings were given and the persons in custody were released. Next day the persons named in the charge were taken from TARIK to DUBLON where they were subjected to further questioning. For two days they were questioned and the ration of food consisted of a ball of rice (about the size of a tennis ball) three times a day. At night time they

Sentence and Date: Each accused 5 years' imprisonment. 10 May 46. (PTO)

Confirmation and by Whom: Findings and sentences in case SAKAMOTO and SYOJI confirmed. Finding and sentence in case accused ANETAI not confirmed. Lt-Gen. V.A.H. Sturdee.

Promulgation: Confirmation and non-confirmation of finding and sentences promulgated to respective accused on 30 Aug 46.

Petition: Lodged by all accused against findings and sentences.

J.A.G.'s Report on Petition: SAKAMOTO and SYOJI - confirm findings and sentences and dismiss appeals. ANETAI - refer proceedings back to Court for review and consequent alteration of sentence. If Court

Action on Petition: cannot be reassembled then finding and sentence be not confirmed. Petition of accused ANETAI upheld.

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (continued) :- were locked in a dugout. On the third day all the persons in custody were released with the exception of Father CLIVAZ, Father KAYSER and Reuben FOLIAPE. The said Reuben FOLIAPE was closely questioned about the alleged ownership by him of a radio set. On one occasion he was forced to kneel with his hands tied behind his back and the accused SAKAMOTO threatened to execute him with his sword. He was then permitted to stand up and the accused SAKAMOTO drew his revolver and threatened him with shooting if he did not tell the truth. He was then whipped by Japanese Labor Policemen at the direction of the accused SAKAMOTO until he passed into unconsciousness. The said Fathers and the said Reuben FOLIAPE were then imprisoned for fifteen days in a very small cell in which there was barely room for all of them to lie down. In the day time the guards made them remain in a sitting position and would not allow them to lie down or stand up. During this period they were questioned at intervals. The Fathers were then told that they would have to work on farming projects and Father KAYSER refused on behalf of the other two to do so. They were then denied any food and lived on foodstuffs given to them by the natives. The three men were then released and the health of Father KAYSER, who was never in a strong physical condition, quickly deteriorated. Approximately five weeks after his release Father KAYSER died. The evidence submitted on behalf of the prosecution was contained in written statements by those subjected to ill-treatment and in interrogations of the accused which were reduced to writing.

2. The accused gave evidence in their defence and denied that they had inflicted beatings as alleged. They admitted that they had slapped the faces of certain of the persons named in the charge.

3. In regard to the accused ANETAI there was no evidence tendered by the Prosecution that he had beaten anyone except the said Rudolph HARRIS.

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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

891

Ans 93.

AWC No. 2702,2620

Accused: Paymaster Lt OOISHI TADAYASHU
Cpl YAMADA TSUTOMU

Aust W.C. List Ser No.

Court, Place, RABAUL
Date and 18 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
Ill treatment at New Britain in or about 1944 of 122358 QM HAV KARM SINGH, 39096 Sepoy SARWAN SINGH and 1932 Cook DALIP SINGH Prisoners of War	Not Guilty	Both accused guilty

Precis of Evidence: The Indians named in the charge were PW in Japanese hands in New Britain. The evidence for the prosecution was contained in statements made by the said KARM SINGH, the said DALIP SINGH, one Barber LALA and Capt YAMAGUCHI Morisha. Briefly the facts submitted on behalf of the prosecution are as follows. The accused OOISHI gave orders to the said LALA to cut the hair and the beards of the said KARM SINGH, SARWAN SINGH and DALIP SINGH. This witness explained the order to the Indians and they refused to obey it. The said LALA told this fact to the accused OOISHI and the accused OOISHI together with the accused YAMADA cruelly assaulted the Indians referred to in the charge. The accused OOISHI asked the Indians if they were going to obey the order. They refused to do so and told the accused it was contrary to their Religious Orders. The Indians were then tied to trees and the accused struck them with clenched fists and kicked them. They were then locked in a tunnel in which there was very little air and kept for a period of 48 hours without food or water.

Sentence and Date: Accused OOISHI Tadayashu - 2 years imprisonment - 18 May 46
Accused YAMADA Tsutomu - 6 months imprisonment - 18 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to each accused on 16 Aug 46.

Petition: Lodged by accused OOISHI against finding and sentence.

J.A.G.'s Report on Petition: Confirmation of findings and sentences and dismissal of petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.

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DPW(AG13(2a)) /WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2908

Accused: Cpl OKURI Kazutoshi,

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 18 May 46
Formation: 8 MD

Charge(s)	Plea	Finding
1. MURDER at RABAU in or about July 1944 of KWOK LEONG	NOT GUILTY	NOT GUILTY
2. (Alternatively to 1st charge) VIOLATION of the laws and usages of war to wit at RABAU unlawfully assaulted KWOK LEONG a Chinese thereby occasioning him actual bodily harm.	NOT GUILTY	GUILTY

Precis of Evidence:

1. The deceased was conscripted by Japanese Occupation Forces in China and taken to Rabaul as a labourer. Evidence was given for the prosecution by Chinese labourers named LAU HENG and POON ANN (both of whom were conscripted in China and taken to Rabaul as labourers) and Capt. A.J.F. Gaul.
2. The witness LAU HENG in his evidence in chief stated (inter alia) that he was working in a store and about 50 yds away he saw the accused beat the deceased with a shovel and kick him till he fell to the ground bleeding from the head and in an unconscious state. The deceased was carried to his barracks where he remained in bed for a month and was then removed to hospital. The deceased was suffering from extensive bruising on the head and back. Under cross examination the witness stated he was not in the store at the time but on hearing screams coming from the store he entered and saw the accused beating the deceased. (Over)

Sentence and Date: Guilty on 2nd Charge - IMPRISONMENT FOR 2 YEARS - 18 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 30 Aug 46.

Petition: Lodged May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

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Precis of Evidence (contd):

3. The witness POON ANN stated that he saw the deceased in hospital every day for a month and during that time the deceased repeatedly vomited blood. The deceased died on 7 Jul 44 and he saw the body after death.
 4. Capt GAUL in evidence stated (inter alia) that the accused had admitted beating Chinese.
 5. The accused gave evidence in his defence and generally denied the evidence called on behalf of the prosecution.
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DPW(AG13(2a))/WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....2662.....

Accused: Sgt YAMAKI Tetsuo

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 15 and 17 June 1946
Formation: 8 MD

Charge(s)	Plea	Finding
ILLTREATMENT OF A PRISONER OF WAR in that he at MANGO about 3 Mar 45 illtreated W/O HOR CHIN CHUN a prisoner of war.	NOT GUILTY	GUILTY

Precis of Evidence:

1. The said HOR CHIN CHUN, a member of the Chinese National Army, was a prisoner of war in Japanese hands at MANGO, New Britain. On 3 Mar 45 he was a member of a working party and together with another member of the Chinese national army, named CHUN CHAW LING, he was ordered to carry a load of horse manure and the journey necessitated them proceeding over a mountain. HOR CHIN CHUN was in ill-health and half way up the mountain he slipped and fell down. The manure was spilled on the ground and the accused who was present slapped HOR CHIN CHUN with his open hand on the face several times. The accused then took a stick about 2 inches in diameter and about 3 feet long and struck HOR CHIN CHUN about 20 to 30 blows on the head and body. As a result there were bruises on the head and body of HOR CHIN CHUN and he also sustained a wound on his head leaving a scar. A complaint about the illtreatment was made to 1st Lt KITANI by CHUN CHAW LING but 1st Lt KITANI said "You are all coolies and you have no right to complain." (Over)

Sentence and Date: TO BE IMPRISONED FOR 2 YEARS - 17 June 1946

Confirmation and by Whom: Finding and sentence confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated^{to}/accused on 9 Oct 46.

Petition: Lodged 28 June 1946 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

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Precis of Evidence (contd):

In the main the evidence of HOR CHIN CHUN was corroborated by the said CHUN CHAW LING.

2. Evidence was given for the defence by the accused and Lt KITANI. The accused denied the assault and stated that he had never struck any of the Chinese with whom he came into contact. The witness KITANI stated that all Chinese were in his charge and before sending them out on working parties and on their return he inspected them. He had not noticed any of the injuries alleged to have been sustained by HOR CHIN CHUN. He also stated that he was very friendly with HOR CHIN CHUN whom he knew by the name of PAN and sometimes he would talk with him in his cave. He said "Pan reported everything to me." He had had reports from Chinese which were not in relation to illtreatment but in the nature of complaints such as shortage of water.

Precis of Evidence (contd):

In the main the evidence of HOR CHIN CHUN was corroborated by the said CHUN CHAW LING.

2. Evidence was given for the defence by the accused and Lt KITANI. The accused denied the assault and stated that he had never struck any of the Chinese with whom he came into contact. The witness KITANI stated that all Chinese were in his charge and before sending them out on working parties and on their return he inspected them. He had not noticed any of the injuries alleged to have been sustained by HOR CHIN CHUN. He also stated that he was very friendly with HOR CHIN CHUN whom he knew by the name of PAN and sometimes he would talk with him in his cave. He said "Pan reported everything to me." He had had reports from Chinese which were not in relation to illtreatment but in the nature of complaints such as shortage of water.

DPW(AG13(2a))/ WMcL/AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 2.

AWC No. 2309

Accused: First Lieut TAZAKI, Takehiko

Aust W.C. List Ser No.....

Court, Place, WEWAK
Date and 30 Nov 45
Formation: 6 Aust Div

Charge(s)	Plea	Finding
<u>First charge:</u> Mutilation of the Dead at SOARIN No.1 about 19 Jul 45.	Not Guilty	Guilty
<u>Second charge:</u> Cannibalism at SOARIN No.1 about 20 Jul 45	Not Guilty	Guilty

Precis of Evidence: On or about 19 Jul 45 an Australian soldier was killed at SOARIN RIDGE. On the following day in company with L/Cpl MENA, 1st Lt Tazaki, T. cut the body of the Australian and ate the flesh about 2 hours later. That evening 1st Lt Tazaki ordered Cpl Yamamoto to bury the body. The evidence disclosed that the accused had often suffered with malaria, the last fever being two days prior to the offence. Food was scarce. Had intense hatred for Australians.

Sentence TO SUFFER DEATH BY HANGING
and Date: 30 Nov 45

Confirmation Finding confirmed
and by Whom: Sentence mitigated to 5 years imprisonment with hard labour
by Acting C-in-C

Promulgation: 1800 hrs 10 Jan 45

Petition: No petition was submitted.

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

Capt YAMAMOTO Shoichi Lt SUGIMURA Shimichi
Capt IINO Shigeru Lt HORIKAWA Koichi
Lt HIRANO Yihikiko Capt ABE Kazuo
Capt MIZUTA Ryuichi WO GOTANDA Kiroku (NOT guilty)
Lt SATO Tatsuo Sgt SATO Shinichi (NOT guilty)
Accused: Lt TANAKA Shojiro
RABAU
Court, Place, 20, 21 22 23 24 & 27 May 46
Date and 8 MD
Formation:

Charge(s)	Plea	Finding
1. MURDER between SANDAKAN and RANAU British N. Borneo between Jan 45 and 28 Feb 45 murdered numerous Prisoners of War in their charge.	All not guilty	Accused YAMAMOTO and ABE guilty only on first charge.
2. Alternatively to 1st charge ILL-TREATMENT OF PRISONERS OF WAR between SANDAKAN and RANAU between 29 Jan 45 and 28 Feb 45 compelled Prisoners of War in their charge to march long forced marches under difficult condition when sick and underfed as a result whereof many of the said prisoners of war died.		All remaining accused (except accused GOTANDA and SATO not guilty on all charges) guilty on second charge.

Precis of Evidence: The case for the prosecution consisted of verbal evidence of WO I STICPEWICH, Keith BOTTRELL (formerly Pte K. Bottrell of 2/19 Inf Bn) and Cpl W.D. MOXHAM of 2/15 Fd Regt and numerous documents consisting of statements in writing made by the accused and interrogations of the accused which were reduced to writing and signed by them. The substance of the evidence was as follows. In January 45 the accused YAMAMOTO received instructions from Japanese 37 Army Corps that 500 PW consisting of English and Australians were to be moved from SANDAKAN to RANAU. The instructions received by the accused YAMAMOTO were that the move was to take place as quickly as possible. There were about 450 PW considered fit to march the distance of 164 miles and each of the accused found guilty on either of the respective charges were each put in command of a group. The accused gave orders to the group commanders as to the march and the treatment of PW on the march. Varying evidence was given as to the time the march was to take (P.T.O.)

Sentence	Accused YAMAMOTO S.	TO SUFFER DEATH BY HANGING	27 May 46
and Date:	" ABE K.	" " " " " "	" " "
	" The remaining convicted accused	TO BE IMPRISONED FOR 10 YEARS -	27 May 46

Confirmation and by Whom: Finding and sentences confirmed by Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to the accused on 18 Oct 46. Accused YAMAMOTO and ABE executed by hanging on 19 Oct 46 at Rabaul.

Petition: Petitions lodged June 46 by each convicted accused against finding and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

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Precis of evidence (contd):

place namely 19 20 or 21 days. The accused ABE was given orders separately. He was instructed to take charge of the last group and (inter alia) he was told that if a PW became too ill to proceed on the march as a last resource such PW would be shot. The accused ABE did in fact order the shooting of PW.

Each of the witnesses for the prosecution gave evidence as to the formation of the groups which consisted of from 40 to 50 personnel. The groups were formed for movement on or about 27 Jan 45 and the first group moved off on or about 28 Jan 45. It was arranged that groups were to move off daily. Each of the witnesses described the deplorable state of health of the PW due to decreasing ration of food for some time prior to the march and the fact that most of the men had suffered approximately three years of very harsh treatment as PW. Each PW was compelled to carry a certain quantity of food and some groups were compelled to carry weapons ammunition and personal gear of Japanese. The terrain over which the march took place was most difficult and in the valleys the ground was swampy and generally the track over mountainous country was muddy. The PW were poorly clad and most of them were lacking proper footwear. These men were issued with Japanese rubber shoes which were useless in the country to be covered. During the march a number of PW in each group died and numbers died after the arrival at the destination. There was also evidence given that PW who were too sick to march further were shot by or by orders of Japanese in command of groups. The longest period taken to cover the distance was 18 days and it appeared that 240 PW perished during the march. Evidence was given by the witness STICPEWICH who was a member of a group of PW who marched over the route some 6 months later that he saw numerous Australian bodies lying on the side of the track. It was submitted for the prosecution that evidence which was submitted/ill-treatment of PW at Sandakan prior to the march, the reduction of food rations and the march described as a "death march" showed, that taken as a whole, the policy was one of deliberate murder.

2. The defence of the accused was that each of them carried out orders of superior officers. On behalf of the accused YAMAMOTO it was contended that the treatment of PW prior to the march was not in any way his liability as he had immediately before the march been in charge of an Inf Unit. He was not responsible for the provisioning of PW whilst on the march, the time to be taken for the distance to be traversed or the equipment of PW. In fact he received his orders from Japanese Army HQ and it was impossible for the accused YAMAMOTO or any of his subordinates to refuse to carry out such orders. It was also submitted that there were no individual cases of ill-treatment other than forcing sick and undernourished men along the way as it was essential for them to reach staging points where food was available. To stop and rest on the journey would have meant that other groups on the route would also have been stopped and would have increased the critical food situation.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2754

Accused: Cpl HIRAIISHI Kuniyoshi

Aust W.C. List Ser No.

Court, Place,) Rabaul, 22 Jul 46, 3 MD
Date and) 8 M.D.
Formation:)

Charge(s)	Plea	Finding
ILL-TREATMENT OF A PRISONER OF WAR (1) at NISHIHODAI on or about 27 June 1945 cruelly beat I6289 Sepoy MIAN KHAN of 5/II Sikh Regiment an Indian prisoner of war. (2) at NISHIHODAI on or about 20-25 July 1945 ill-treated 5756 Sepoy KEHAR SINGH of 3/16 Punjab Regiment an Indian Prisoner of War.	Not guilty on both charges	Guilty on both charges.

Precis of Evidence: I. The evidence for the prosecution was documentary and consisted of statements made by Indian prisoners of war namely MIAN KHAN GIAN SINGH, KHUSHAL SINGH, SULAKHAN SINGH, Lt R.K. SAKSENA, and interrogations of the accused reduced to writing and signed by him. In brief the allegations made by the prosecution were as follows :-

2. Ist charge : On 27 June 1945 the said MIAN KHAN was suffering from fever. He reported sick to the accused who was a medical orderly. The accused did not examine him and said to him "You are OK. Go on fatigue." MIAN KHAN told the accused that he had fever and the accused took a thick stick and beat MIAN KHAN till he fell to the ground in an unconscious condition. He received injuries to his chest and other parts of his body. As a result of the beating MIAN KHAN was ill for 1½ months.

(P.T.O.)

Sentence To suffer death by hanging.
and Date: 22 Jul 46.

Confirmation Finding and sentence confirmed by Lt. Gen. V.A.H. STURDEE.
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated to accused on 5 Nov 46. Accused executed by hanging at Rabaul on 6 Nov 46.

Petition: Petition lodged 3 Aug 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss the petition.

Action on Petition: DISMISSED.

Filed in Attorney-General's Department and Numbered.

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3. 2nd Charge : The said KEHAR SINGH was suffering from beri beri. On 20 Jul 45 his feet were very swollen and he reported sick to the accused. He said to the accused "I am swollen and it is difficult to walk". The accused ordered him to go on fatigue but KEHAR SINGH again requested to be excused from fatigue. The accused then began to beat him with his fists and also kicked him. When the accused tired he took a stick and struck KEHAR SINGH with it until he fell down. He was carried to his bed and next day, although his body was bruised and swollen he was again ordered by the accused to go on fatigue. On 24 Jul 45 the accused on seeing that KEHAR SINGH was unfit for fatigues said to one of the witnesses "Send him to QUMARYAMA which is the dying place for Indians"- "Send him tomorrow to die there." The following day the accused ordered KEHAR SINGH to walk to QUMARYAMA a distance of about 6 miles and to carry his bedding and baggage. He left for QUMARYAMA at 0600 hrs and arrived there at about 1800 hrs. On arrival he was examined by Lt SAKSENA, an Indian medical officer and found KEHAR SINGH to be in a state of total exhaustion. His body was swollen and extensively marked on the legs, acrotum, and lower abdomen. He could hardly breathe and there was fluid in both lung cavities and abdomen. KEHAR SINGH died on 1 Aug 45.

4. The accused gave evidence in his defence. In general he denied all the allegations made by the prosecution. He admitted having "flipped" an Indian on the nose with his middle finger and that he had on another occasion sent an Indian to QUMARYAMA for treatment.

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RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No.....

Accused: **Korean Guard HAYASHI Eishun**

Aust W.C. List Ser No.....

Court, Place, **Singapore**
Date and **10 & 12 Mar 47**
Formation: **1 Aust War Crimes Sec.**

Charge(s)	Plea	Finding
VIOLATION OF THE LAWS AND USAGES OF WAR in that at 131 Kilo Camp Niki, Siam about 23 Dec 45 inhumanely treated a prisoner of war namely VX21192 L/Sgt L.E. Whitfield, AIF, by violently kicking him in the abdomen as a result of which he died at 134 Kilo Camp Siam on or about 4 Jan 46.	Not Guilty	Guilty

Precis of Evidence: 1. The said L/Sgt Whitfield along with a number of other Australians were prisoners of war in the hands of Japanese at Niki at a Camp known as 131 Kilo Camp on the Burma-Siam Railway. In Dec 43 L/Sgt Whitfield was in hospital suffering from amoebic dysentery and was discharged from hospital on 20 Dec 43. On the evening of 23 Dec 43 L/Sgt Whitfield was sitting in a hut with some other Australian NCO's drinking a cup of tea. The hut was dimly illuminated with one or more candles and the accused entered unnoticed by L/Sgt Whitfield. It appeared the eyesight of L/Sgt Whitfield had been affected by his illness and he failed to stand up and bow to the accused as required by camp orders. The accused approached L/Sgt Whitfield and shouted at him in Japanese and L/Sgt Whitfield immediately stood up and bowed to the accused. The accused without any justification or provocation kicked L/Sgt Whitfield in the region of the stomach causing him to fall to the ground in great pain. One witness alleged that the kicking in the stomach caused (PTO)

Sentence and Date: **To suffer death by hanging. 12 Mar 47.**

Confirmation and by Whom: *May Gen W. M. Anderson. Adj Gen A.M.F 27/6/44*

Promulgation: *Confirmation of finding and sentence promulgated to the accused on the 17-7-44. Accused executed on the 18/7/44 at CHANGI Prison*

Petition: **Lodged March 1947 against finding and sentence.**

J.A.G.'s Report on Petition: **That the finding and sentence be confirmed and that the petition be dismissed.**

Action on Petition: *Dismissed 27/6/44*

Filed in Attorney-General's Department and Numbered.....

7
bleeding from the bladder and the bowels and brought about the death of L/Sgt Whitfield on 4 Jan 44.

2. The accused gave evidence in his defence. He denied the assault as alleged by the prosecution but admitted slapping L/Sgt Whitfield on the face with his open hand but that the blows were not very hard.

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RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No.....

Accused: **S/M SHIMOJO Harukichi**

Aust W.C. List Ser No.....

Court, Place,
Date and
Formation: **Singapore
25, 26 & 29 Nov 46,
1 Aust War Crimes**

Charge(s) Plea Finding

First Charge : Committing a war crime in that he in Burma and Siam in and between the month of Jan 43 and Feb 44 in violation of the laws and usages of war when concerned as a member of 3 PW Group in the care and supervision of PW employed in the construction of the Burma-Siam Rlwy between Thambuzayat, Burma and Niki, Siam inclusive, inhumanely treated PW.

**Not
guilty**

Guilty

Second Charge : Committing a war crime in that he in Siam in or about the month of August 1945 in violation of the laws and usages of war whilst concerned in the movement of PW from KANBURI to NAKON NAYOK inhumanely treated PW.

**Not
guilty**

Guilty

Precis of Evidence: The evidence for the prosecution was documentary and consisted of some 22 affidavits and statements made by ex PW and the accused himself. The substance of the evidence contained in such affidavits and statements was to the following effect. The accused between the months of Jan 43 and Feb 44 was a Sgt in the Japanese Army and on the staff of 3 PW Branch Burma. This Branch controlled a number of PW Camps along the route of the Burma Siam Railway and the PW were employed in the construction and work in connection with such railway. The accused was OC of 8 Kilo Camp from 10 Jan 43 to Mar 43, 45 Kilo Camp in Mar and Apr 43. Later he was 2 i/c or Adjut of No. 1 Mobile unit. This unit was until June 43 commanded by Lt NAITO. From then until early Dec 43 it was under command of MATSUZAKI and then for about a month the accused was OC of No. 1 Mobile unit. No. 1 Mobile unit was allotted the task of laying rails and in consequence it was frequently on the move. From time to time it was stationed at various Kilo Camps.

(PTO)

Sentence and Date: **To suffer death by hanging. 29 Nov 46.**

Confirmation and by Whom: *Finding confirmed and sentence commuted to imprisonment for life and confirmed as so commuted by Lt-Gen V. A. H. STURDEE.*

Promulgation: *Confirmation of finding and sentence as commuted lodged Dec 46 against finding and sentence promulgated to the accused on 11/4/47.*

Petition: **Lodged Dec 46 against finding and sentence.**

J.A.G.'s Report on Petition: **Confirm finding and dismiss petition so far as it relates thereto and suggests commutation of sentence to life imprisonment.**

Action on Petition: *Dismissed*

Filed in Attorney-General's Department and Numbered.....

It appeared that the ^{said} accused MATSUZAKI was often absent from the respective camps through illness and the running of the camps was left in the hands of the accused. He was at all times in charge of the Korean guards and he meted out punishment to PW. One witness described the accused as "Ace torturer in the camp."

First Charge : The substance of the evidence for the prosecution in relation to this charge was as follows. When there were insufficient PW available for work through sickness, the accused held sick parades and in spite of protests from PW medical officers and senior PW officers, he selected sick men and forced them to carry out heavy manual work on the railway. As a result of the action of the accused, many PW died. In the camps in which the accused was located, there were numerous instances of ill-treatment beatings and lashings by Korean guards. The guards were encouraged by the accused in their ill-treatment of PW. Protests were made by senior officers but they were completely ignored and on a number of occasions the accused personally beat and assaulted PW. In one particular case Lt-Col Williams, a member of the AIF was beaten on a number of occasions by Korean Guards, who were under the control of the accused. Lt-Col Williams was also made to stand at attention for 26 hours and not given any food. This was done pursuant to the direct orders of the accused. The evidence further showed that there was always a shortage of food, clothing and medical supplies. The accommodation and general conditions were bad. Many protests were made but the accused took no action at all to improve conditions.

Second Charge : The substance of the evidence in relation to this charge concerned the movement on foot of a number of PW officers from a place known as KANBURI PW Camp in Siam to a place named NAKON NAYOK. PW were compelled to carry all their gear and to march a distance of 45 kilometres in a period of about 23 hours. Each PW was permitted to carry a small bottle of water only and when that was used they drank muddy water from the roadside. The accused refused permission to boil the water. On the march if men could not keep up with the main party, they were beaten and kicked by the accused and his guards. A particular instance of cruelty occurred in connection with Maj KIERNAN of the AIF. He was suffering from badly skinned feet and he was unable to keep pace with the main party. The accused then beat Maj KIERNAN with a sword scabbard. This was typical of many other cases on this march involving the accused and his guards. The accused gave evidence in his defence and witnesses were called on his behalf. In respect of the first charge, the accused denied all acts of ill-treatment and alleged that orders had been given by superior authority that prisoners were not to be struck in any circumstances and that such orders were implicitly obeyed by him and the guards serving under him. It was admitted that conditions of camps and food supply were not good and it was contended that as there was no settled camps, better conditions could not be supplied. It was further contended that the supply of foodstuffs was not the responsibility of the accused. It was generally denied that sick PW had been forced to go out on work fatigues. The accused admitted that he had meted out punishment to Lt-Col Williams because he had disobeyed orders. He denied beating him but admitted that Lt-Col Williams was made to stand at attention for a period of ten hours. In regard to the 2nd charge, it was alleged (inter alia) that the march was carried out by the accused under orders for a superior officer. The fact that there was a shortage of vehicles to carry the officers' gear could not be charged against the accused. It was further alleged that no beatings occurred whilst on the march and that PW did not have to drink muddy water on the journey as there was an ample supply.

DPW(AS13(2a))/WMOE/AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

518.

AWC No.....

Accused: Sgt MINUMA Takeo

Aust W.C. List Ser No.....

Court, Place, SINGAPORE
Date and 18 Nov
Formation: 1 Aust War Crimes

Charge(s) Plea Finding

Committing a War Crime in that he at Niki and Songkrai in Siam in or about the month of July and August 1945 in violation of the laws and usages of war when concerned in the care and supervision of PW employed on the construction of the Burma/Siam Railway inhumanely treated PW.

Not
Guilty

Guilty excluding
the words "employed
on the construction
of the Burma/Siam
Railway."

Precis of Evidence:

1. The evidence for the prosecution was documentary and consisted of six affidavits sworn by ex PW, "Q" Forms completed by two ex PW and a sworn statement made by the accused. The evidence showed that the accused was a Sgt in the Japanese army and during the months of July & August 1945 he was stationed at Niki and Songkrai. The accused was employed in the supervision of PW engaged on the maintenance and repair of the Burma/Siam Railway. This was necessary on account of allied bombing. The accused personally beat and ill-treated many PW. Witnesses described the beatings as being always severe. Pick handles or bamboo sticks were usually used. When beatings were not administered by the accused personally he invariably supervised them and encouraged the guards conducting the beatings. It was the practice of the accused to cut a fresh bamboo each morning which he used for beating PW. On one occasion a PW who was suffering from paralysed legs collapsed just before lunch and he was carried back to his quarters and placed in bed.

(over)

Sentence
and Date:

TO SUFFER DEATH BY HANGING - 18 Nov. 46

Confirmation
and by Whom:

LT. GEN. V.A.H. STURDEE C.G.S A.M.F 20/3/47

Promulgation:

Confirmation of finding and sentence promulgated to the accused on 16/4/47. Accused executed on 17/4/47 at CHANGI prison

Petition:

Lodged Dec 46 against finding and sentence

J.A.G.'s Report on Petition:

Confirm finding and sentence and dismiss petition

Action on Petition:

Dismissed 20/3/47

Filed in Attorney-General's Department and Numbered.....

Next morning the accused ordered the PW out of bed. The PW was unable to do so and the accused pulled him out and punched him on the chin. Whilst he was on the ground he kicked him and then dragged him outside the guard house and hit him on the body with a rifle. He then ordered the guard to go and dig a grave and told the PW he was going to shoot him after lunch. A Japanese officer arrived and after hearing the accused's explanation he heard the PW's version and ordered the PW back to bed. It was alleged that 6 PW died within a fortnight and the opinion was expressed that their deaths resulted from the continued ill-treatment meted out to all PWs by the accused. He repeatedly forced sick PW to go with working parties. His usual practice was to go into the sleeping quarters immediately after reveille when those fit for work had fallen in. He would attempt to force out of bed those men who were too sick to go on parade by striking them with his rifle butt or a bamboo stick. Even after cessation of hostilities PW were engaged in rice carrying fatigue. One man was so ill that he could not carry a bag of rice and he fainted. While he was on the ground the accused kicked this PW on the head and body and encouraged guards to strike him with their rifles. The accused made an unsworn statement in his defence and he denied the charge and stated that he did not directly or indirectly illtreat PW. It was alleged on his behalf that this was a case of mistaken identity.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Am 228

AWC No.....

Accused: Korean Guard MASAKI Fumio

Aust W.C. List Ser No.....

Court, Place, SINGAPORE
Date and 1 Oct 46 and 1 Dec 46
Formation: 1 Aust War Crimes Sec

Charge(s)	Plea	Finding
COMMITTING a WAR CRIME to wit at 83K Camp Aponon Burma and at 80K Camp Burma. between May 1943 and September 1943 inhumanely treated prisoners of war thereby contributing to the death of VK18976 Pte S.R. Barry 2/2 Pioneer Bn which occurred on or about 9 Sep 43 at 80K Camp and causing suffering to other prisoners of war.	NOT GUILTY	GUILTY

Precis of Evidence:

The evidence for the prosecution consisted of a number of affidavits made by former Australian and American prisoners of war, also an affidavit by Maj KERR of Australian War Graves Service giving particulars of entries made by him regarding the death of Pte BARRY and two written statements made by the accused. In general the evidence showed that the accused made a habit of beating prisoners of war including those who were sick. There was also evidence of particular acts of ill treatment. Facts were submitted relating to the severe beating of ~~an~~ American soldiers named Harris and Glover and an Australian named Mackenzie. In addition to beating Mackenzie it was alleged that the accused also kicked Mackenzie. The main act of inhumane treatment alleged against the accused concerned Pte Barry referred to in the charge. In or about Sep 43 at 83 Kilo Camp Aponon, Burma, Pte Barry was suffering from

(Over)

Sentence and Date: TO BE IMPRISONED FOR 15 YEARS - 4 DEC 46

Confirmation and by Whom: Lt-Gen CCK, Comd Singapore District

Promulgation: Confirmation of finding and sentence promulgated to the accused on 20 Jan 47.

Petition: No petition lodged.

J.A.G.'s Report on Petition: -

Action on Petition: -

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (contd)

malaria and dysentery and was unfit to work. He was unable to get out of his bed and the accused came into the hut and dragged Pte Barry out and beat him about the head and body with a bamboo. He was rendered unconscious and was then kicked by the accused. Pte Barry was then forced to work in water waist deep. He collapsed during the morning and was taken back to his quarters. In the evening of the same day he was forced to work again but was unable to do so. The accused beat him and kicked him into insensibility and then pushed his head into a pool of mud. Pte Barry was again taken back to his quarters and then evacuated to a camp hospital. He died on 9 Sep 43. The prosecution alleged that the beating and ill treatment of Pte Barry by the accused contributed to the death of Pte Barry. The accused gave evidence in his defence. He admitted slapping the American soldier named Harris once only but denied all the other allegations regarding the illtreatment of the other prisoners of war. The defence alleged that the statements were either grossly exaggerated or the identity of the accused was mistaken.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Case 227

Accused: Maj KATSUMURA Yoshio
Sgt Maj HAIADA Tei
Sgt Maj GOGAMI Jemgiro
Sgt Maj NAKAYAMA Jyunzo
Sgt ENDO Keichi
Sgt HIRASHIBA Yoshio

AWC No.....

Aust W.C. List Ser No.....

Court, Place, SINGAPORE
Date and 23, 24, 25, 26 and 30 Sep 46
Formation: 1 Aust War Crimes Sec.

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that they at or near BOGOR JAVA on 5 September 1943 in violation of the laws and usages of war were concerned in the unlawful killing of Lt JOHN APPLEBY and Pte TOM POWELL of the Australian Military Forces Sgt BETTKULFT of the Royal Netherlands Indies Army all then recaptured escaped Prisoners of War held by the Japanese Armed Forces and Miss HANNIE HILGERS a Dutch civilian and resident of Dutch territory then in the occupation of the Japanese Armed Forces.	All accused NOT GUILTY	All accused NOT GUILTY

Precis of Evidence:

1. The evidence for the prosecution was partly verbal and partly documentary. The documentary evidence consisted of written statements made by all the accused except the accused KATSUMURA. The deceased APPLEBY, POWELL and BETTKULFT were taken prisoners and imprisoned in a Japanese prisoner of war camp in BATAVIA and in May 42 they escaped and took shelter with the deceased HANNIE HILGERS, a young Dutch woman of Batavia. The three escaped prisoners of war then moved to BOGOR in JAVA and were hidden in the house of a Dutch family named MULDER. The whereabouts of the prisoners of war became known to the Batavia Kempei Tai and the BOGOR Kempei Tai apprehended them on or about 12 Aug 43. The deceased woman HILGERS was arrested in BATAVIA and handed over to the BOGOR Kempei Tai. The accused KATSUMURA was the officer in charge of Bogor Kempei Tai Detachment and all the other accused served in various

(Over)

Sentence and Date: NOT GUILTY - 30 Sep 46

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (contd)

capacities under his command. The Japanese alleged that the three male deceased had engaged in anti Japanese activity, obtained Japanese military secrets and resisted arrest and that the deceased Hilgers had aided them and given them military information regarding the Japanese. The accused KATSUMURA forwarded the results of the interrogation by him of the deceased to Kempei Tai HQ at Batavia and this accused was subsequently advised by that HQ that the four deceased were deemed to be guilty of offences against Japanese military law. On 3 Sep 43 instructions were issued by Kempei Tai HQ Batavia for the immediate execution of the four prisoners by beheading with the sword. The executions were carried out on 5 Sep 43 pursuant to orders of the accused KATSUMURA. The accused HAMADA was in charge of the execution party and each of the other accused executed one of the prisoners. The bodies were then examined by the respective executioners and also the accused HAMADA to ensure life was extinct. The deceased were then buried in the graves which had been prepared for them. The prosecution alleged that the deceased were never subjected to a Court Martial or given the benefit of any judicial trial for their alleged offences and that their execution was illegal.

2. The accused KATSUMURA and HAMADA gave evidence in their defences and witnesses were called on behalf of all the accused. The defence submitted that the accused were not guilty of the charges in that they had carried out orders of superior officers. It was also contended that the deceased had been subjected to a trial in absentia and in accordance with certain provisions and orders given by Lt-Gen HARADA Kunakichi, Commander-in-Chief 16th Army at Java.

3. The accused were found 'not guilty' and in announcing its decision the Court stated that it was guided by the amendment of para 443, Manual of Military Law Page 288 (Australian Edition).

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Lt HIROTA Riji

Aust W.C. List Ser No.....

Court, Place, Singapore
Date and 18, 19 & 21 Sep 46.
Formation:

Charge(s)	Plea	Finding
Committing a War Crime in that at HINTOCK KANU Area Siam between May 1943 and Aug 1943 in the supervision of the work of PW employed in the construction of Burma Siam Railway inhumanely treated the said PW contributing to deaths, bodily injury, damage to health and physical and mental suffering.	Not guilty	Guilty

Precis of Evidence: 1. The evidence for the prosecution was documentary and was contained in affidavits sworn by former PW, Q Forms completed by former PW, photographic identification and a written summary of the examination of the accused.

2. The accused was a Japanese Engineer Officer in charge of the construction of a section of the Burma-Siam Railway. Working parties of PW were marched from the Camp situate at HINTOCK Kanu Area a distance of 3½ miles in the early hours of the morning and back again at night. The camp was supervised by Japanese Engineers and Korean Guards. The accused completely dominated the guards at the Camp and they were given any licence to enforce PW to work. The guards removed sick PW from beds in hospital and the PW while at work building bridges and constructing the railway line were ruthlessly beaten.
(see over for remainder)

Sentence and Date: To suffer death by hanging. 21 Sep 46.

Confirmation and by Whom: Finding and sentence confirmed by Lt. Gen. V. A. H. STURDEE.

Promulgation: Confirmation of finding and sentence promulgated to accused on 20 Jan 47.
Accused executed by hanging at CHANGI Prison on 21 Jan 47

Petition: Petition lodged Sep 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

Towards the end of June, many PW were suffering from Malaria and in particular 5 PW were very sick in hospital. They were made to fall in on a muster parade and marched to work. One Sgt HALLAM was unable to make the journey and he struggled back to hospital and was readmitted. A check was made that night to ascertain who were the PW who had not worked on the line. Sgt HALLAM and other PW who had fallen out of the work parties, were on the orders of the accused, taken from hospital to the parade ground. The guards then proceeded to punch PW with their fists, took off their shoes and belted them with their wooden shoes, lashed them with thick bamboo sticks and made them stand at a position of attention for long periods. This savage beating lasted for hours. Finally Sgt HALLAM was removed to hospital. His face, neck and chest were contused and swollen. There were abrasions all over his body and legs. Sgt. HALLAM died a few hours later as a result of internal injuries. In the Engineers' Compound, three more men were lined up and beaten. They were thrown to the ground by means of ju-jitsu holds and repeatedly kicked and bashed by the Japanese. The accused was in his hut which was nearby but he did not take any steps to stop the savage treatment the men were receiving. This ill-treatment brought about incurable ulcers. A PW named Pte TUCK lost both his legs as a result of injuries. One Pte HOWARD lost a leg and a PW named MOATE was in hospital for 7 months as a result of his injuries.

The accused displayed complete indifference to the sanctity of human life refusing to allow personnel suffering from cholera to be removed to hospital until the work shift had been completed. He meted out collective punishment for the offences of a few. He withheld his trucks from collecting rations necessitating hungry and sick men going to collect food rations at midnight. The accused and the Japanese under him were inhuman and callous taskmasters and the main objective of the accused appeared to be to complete the railway irrespective of the cost of human life.

3. The accused gave evidence in his defence. In general he denied all the allegations contained in the evidence for the prosecution.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Col OBANA Yoshimasa
Capt TOMITA Nozomu
Cpl SUZUKI Toshio
Cpl SASAKI Kiyoto
Accused: L/Cpl KANAZAWA Masao
Civilian Interpreter NAKAGAWA Masaichi
" " KITA Koichi
Court, Place, SINGAPORE
Date and Formation: 2 3 5 6 7 9 & 11 Sep 46
KINOSHITA Katsutaro

AWC No.....

Aust W.C. List Ser No.....

Charge(s)	Plea	Finding
Committing a war crime in that they at Batavia on various days between the 17th day of June 1945 and the 14th day of Aug 1945 in violation of the laws and usages of war were concerned in the inhumane treatment of Australian prisoners of war thereby causing great physical pain and mental suffering to the said Australian Prisoners of War.	All accused guilty	All accused guilty

Precis of Evidence: The Australians referred to in the charge were the crew of a "Liberator" Bomber commander by S/Ldr J.A. WAWN, RAAF. The other members of the crew were F/Lt D.W.J. BUCHANAN, F/Lt L.L. McKENZIE, F/O C.C.A. Robertson, F/O P.S. SYKES, F/O R.T. ROBERTSON, W/O T. BONNICE, Sgt L.F. MEDWIN, F/Sgt B. McINERNEY, Sgt D.J. MALONEY, F/Sgt N. HAYWOOD, F/Lt E.R. OLDFIELD. The accused were members of the Japanese Army and at all relevant times held appointments as follows. The accused OBANA was senior Staff Officer of HQ 16 Japanese Army and was in charge of the Intelligence Section. The accused TOMITA was attached to HQ 16 Japanese Army and was OC Interpreters and Translation. The accused SUZUKI SASAKI and KANAZAWA were guards and were employed at all relevant times guarding the PW referred to in the charge and particularly during periods when such PW were being interrogated. The accused NAKAGAWA, KITA and KINOSHITA were interpreters and were under the command of the accused TOMITA. They assisted in the interrogation of the PW referred to in the charge. On 26 April 1945

	Accused OBANA	)	(over)
Sentence	" TOMITA	) EACH TO BE IMPRISONED FOR 14 YEARS	
and Date:	" NAKAGAWA)	
	" KITA	) TO BE IMPRISONED FOR 11 YEARS	
	" SASAKI	) EACH TO BE IMPRISONED FOR 8 YEARS	
	" KANAZAWA)	
	" SUZUKI	) TO BE IMPRISONED FOR 4 YEARS	
	" KINOSHITA	) " " " " 3 YEARS	

Confirmation and by Whom: Maj-Gen L.H. Cox, GOC Singapore District.

Promulgation: Confirmation of finding and sentence promulgated to each accused on 30 Sep 46.

Petition: No petition lodged

J.A.G.'s Report on Petition: —

Action on Petition: —

Filed in Attorney-General's Department and Numbered.....

the "Liberator" Bomber took off from Western Australia for targets in JAVA and BALI. On 27 Apr the aircraft crashed close to SOEMBA Island and despite heavy surf and machine gun fire from the Japanese all members of the crew reached the shore. From 27 April 1945 until 17 June 1945 they were subjected to ill-treatment but such ill-treatment has no relation to the present charge. On 17 June 45 the airmen arrived at Bicycle Camp Batavia where they were imprisoned apart from other PW then in Japanese hands. The normal crew for a Bomber of the Liberator type is eleven but the complement of the crew on this occasion totalled twelve. It was submitted by the prosecution that the Japanese assumed that the aircraft was carrying a spy and was therefore in possession of information which would be valuable to the Japanese Army. The real reason for the additional member of the crew was that F/Lt OLDFIELD had made the trip to observe the air gunners in the course of their duties. Shortly after their arrival the accused OBANA gave orders to the accused TOMITA to conduct the interrogation of the PW. The accused TOMITA discussed the matter with an interpreter named SAKAMOTO Takao whose whereabouts is now unknown. It was alleged that SAKAMOTO was guilty of the most fiendish tortures to force the prisoners to disclose military information which they could not be compelled to disclose. After discussing matters with SAKAMOTO the accused TOMITA held a conference of all the interpreters including the accused NAKAGAWA, KITA and KINOSHITA. The accused TOMITA detailed to the interpreters the information he required from the prisoners. The information was such that by International Law the PW could not be compelled to answer. The accused TOMITA detailed the accused SUZUKI, SASAKI and KANAZAWA to guard the prisoners and to assist the interpreters. The interrogation commenced and on the following day the accused TOMITA reported to the accused OBANA that no information had been obtained as a result of the interrogations of the prisoners and the accused OBANA gave instructions that the PW were to be "treated roughly". The accused including the Japanese SAKAMOTO proceeded to torture the prisoners in a most brutal manner. There were two types of torture namely lashings frequently indulged in by the Japanese floggings with bamboo swords fists and belts. In substance this type of torture ranged from slapping to flogging of the utmost severity. The torture in the other category included the flogging of a prisoner with a rubber slipper until the face and glands of the neck were so swollen and so bloody that the victims were unrecognisable. In addition in this class there was also the torture of beating the finger nails with wooden hammers until the nails were blackened and broken. In particular there was evidence that S/Ldr Wawn after a terrific flogging was lain almost unclad on pebbles in the blazing sun for 8 hours without food or drink and during this time he was also beaten with bamboo swords. He was then placed in solitary confinement for a period of 28 days and then confined in a filthy overcrowded cell with natives and Eurasians. F/Lts Buchanan and Maloney in addition to other torture were also given solitary confinement. These airmen were also threatened with death by the accused TOMITA and NAKAGAWA for failing to answer questions. The prosecution alleged that the treatment meted out to the prisoners may have resulted in the deaths of the prisoners had it not been for their good physical condition and their moral courage.

2. The accused OBANA, TOMITA, NAKAGAWA and SUZUKI gave evidence in their defence and two witnesses were called on behalf of the accused. The accused OBANA denied that he had given any orders to use force in interrogating the prisoners. The accused TOMITA alleged that he had been instructed to use force after the early interrogations had failed to furnish any information. On behalf of all the accused it was contended that if there was any force used in connection with the interrogation the evidence for the prosecution was very much exaggerated.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Accused: Capt HOSUMI Susumi
2nd Class Pte OKAWA Kisaburo
Sup Pte OTSUKI Masao

AWC No.....

Aust W.C. List Ser No.....

Court, Place, SINGAPORE
Date and 10,11,12 & 13 July 1946
Formation:

Charge(s)	Plea	Finding
1. COMMITTING A WAR CRIME at SONGKRAI PW Camp SIAM on or about 14 Aug 45 to wit unlawfully killed VX19728 Pte J.E. DUKIN 2/2 Pnr Bn AIF a PW in the said camp.	All accused Not guilty	All accused guilty
2. (Against the accused OKAWA only) COMMITTING A WAR CRIME at SONGKRAI PW Camp SIAM from 22 Jul 45 to about 14 Aug 45 to wit inhumanely treated VX19728 Pte J.E. DUKIN 2/2 Pnr Bn AIF a PW in the said Camp.	Not guilty	Guilty

Precis of Evidence: 1. The evidence for the prosecution was partly documentary and partly verbal. The documentary evidence consisted of affidavits by S/Sgt I.W. RENNIR, Pte C.J. VIDLER, Cpl C.E. TURNER, written statements by S/M KAWASE Kazuo, S/M MATSUDA Tabatake, the accused Capt HOSUMI Susumi, an affidavit by Lt Col C.E. DeM R. PIERCE, Summaries of examination of 2nd Class Private OKAWA Kisaburo, and sworn statements by the said accused OKAWA and the said accused OTSUKI. Verbal evidence was also given by Capt D.A. FRASER.

2. The evidence for the prosecution on both charges was to the effect that Pte J.E. DUKIN(hereinafter referred to as the deceased) had escaped from custody whilst in Japanese hands at SONGKRAI PW Camp SIAM. The deceased was recaptured three days later namely on 22 July 1945. He was tied to a post of the Guard house by a rope passed round his neck and tying his arms behind his back. The deceased was so tied that he could only sit down with difficulty. Although it rained most of the time the deceased

Sentence and Date: Accused HOSUMI & OKAWA - TO SUFFER DEATH BY HANGING - 13 JULY 46
" OTSUKI - TO BE IMPRISONED FOR 18 YEARS - 13 JULY 46

Confirmation and by Whom: LT. GEN V.A.H. STURDEE C.G.S. P.M.F 24/12/46.

Promulgation: Confirmation of finding and sentence promulgated to the accused on 20/1/47. The accused HOSUMI and OKAWA were executed on the 21-1-47 at CHANGI prison.

Petition: Petitions lodged July 46 by each accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences against the accused HOSUMI and OKAWA and dismiss petitions. Confirm sentence and uphold petitions of accused OTSUKI in relation to sentence. Recommends

Action on Petition: mitigation thereof to period of imprisonment for about 5 years
Dismissed 24/12/46.

Filed in Attorney-General's Department and Numbered.....

was not afforded any protection from the weather. He was not given any change of clothing and during the three weeks of his imprisonment he was permitted to wash himself on one occasion only. During practically the whole of the day time the deceased was made to stand at the position of attention, and he was subjected to frequent beatings by the Japanese guards. During the night time the deceased was heard calling out in pain as though he was receiving further beatings. He was not permitted to go the latrines and his clothes and body were in a filthy condition. In addition to malaria he was suffering from beri-beri but no medical treatment of any kind was given to him. On or about 14 Aug 45 the Japanese sgt in charge of the section to which the deceased was attached in company with 4 Japanese soldiers armed with rifles and bayonets took the deceased to the cemetery adjoining the camp. There the deceased was killed by bayonetting. The facts which were more or less admitted were that the accused OKAWA was in charge of the camp where the deceased was kept in custody, and the prosecution contended that he was responsible for the condition in which the deceased was kept after his recapture. The accused OKAWA also admitted that he made arrangements for the execution and that he gave the order to the accused OTSUKI to bayonet the deceased. The accused OKAWA admitted that the execution was arranged pursuant to the orders of the accused HOSUMI and corroborated evidence by two Japanese NCO's of this fact was also tendered by the prosecution.

3. Each of the accused gave evidence in their defence. The accused HOSUMI denied that he gave any such orders for the execution of the deceased and that he was not in a position to do so. The accused OKAWA and OTSUKI both claimed that they carried out orders of superiors.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Capt HOSUMI Susumu
Accused: 2nd Class Pte OKAWA Kisaburo
Sup Pte OTSUKI Masao

AWC No.....

Aust W.C. List Ser No.....

Court, Place, SINGAPORE
Date and 10,11,12 & 13 July 1946
Formation:

Charge(s)	Plea	Finding
1. COMMITTING A WAR CRIME at SONGKRAI PW Camp SIAM on or about 14 Aug 45 to wit unlawfully killed VX19728 Pte J.E. DURKIN 2/2 Pnr Bn AIF a PW in the said camp.	All accused not guilty	All accused guilty
2. (Against the accused OKAWA only) COMMITTING A WAR CRIME at SONGKRAI PW Camp SIAM from 22 Jul 45 to about 14 Aug 45 to wit inhumanely treated VX19728 Pte J.E. DURKIN 2/2 Pnr Bn AIF a PW in the said Camp.	Not guilty	Guilty

Precis of Evidence: 1. The evidence for the prosecution was partly documentary and partly verbal. The documentary evidence consisted of affidavits by S/Sgt I.W. RENNIE, Pte C.J. VIDLER, Cpl G.E. TURNER, written statements by S/M KAWASE Kazuo, S/M MATSUBA Tabatake, the accused Capt HOSUMI Susumu, an affidavit by Lt Col C.E. DeM R. PIERCE, Summaries of examination of 2nd Class Private OKAWA Kisaburo, and sworn statements by the said accused OKAWA and the said accused OTSUKI. Verbal evidence was also given by Capt D.A. FRASER.

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Sentence and Date: Accused HOSUMI & OKAWA - TO SUFFER DEATH BY HANGING - 13 JULY 46
" OTSUKI - TO BE IMPRISONED FOR 18 YEARS - 13 JULY 46

Confirmation and by Whom: LT GEN V.A.H STURDEE C.G.S. A.M.F 24/12/46.

Promulgation: Confirmation of finding and Sentence promulgated to the accused on 20/1/47. The accused HOSUMI and OKAWA were executed on the 21/1/47 at CHANGI prison.
Petition: Petitions lodged July 46 by each accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences against the accused HOSUMI and OKAWA and dismiss petitions. Confirm sentence and uphold petitions of accused OTSUKI in relation to sentence. Recommends
Action on Petition: mitigation thereof to period of imprisonment for about 5 years

Dismissed 24/12/46.
Filed in Attorney-General's Department and Numbered.....

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3. Each of the accused gave evidence in their defence. The accused HOSUMI denied that he gave any such orders for the execution of the deceased and that he was not in a position to do so. The accused OKAWA and OTSUKI both claimed that they carried out orders of superiors.

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3. Each of the accused gave evidence in their defence. The accused HOSUMI denied that he gave any such orders for the execution of the deceased and that he was not in a position to do so. The accused OKAWA and OTSUKI both claimed that they carried out orders of superiors.

7

defendant: Korean

RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Korean Gd ARAI Shokai

Aust W.C. List Ser No.....

Court, Place, SINGAPORE
 Date and 26 and 27 June 46
 Formation: 1 Aust War Crimes Sec

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that he at NAKOM PATHON SIAM in and between the months of December 1943 and September 1945 while in the service of the Imperial Japanese Army and engaged in the guarding and supervising of Prisoners of War in the power of the Japanese Government in violation of the laws and usages of war did inhumanely treat Australian, American British and Dutch Prisoners of War by physical tortures, beatings and assaults thereby causing bodily injuries and physical suffering to the said prisoners of war.	NOT GUILTY	GUILTY

Precis of Evidence:

1. The evidence for the prosecution consisted of affidavits and 'Q' Forms from ex prisoners of war who were personally beaten, assaulted and tortured by the accused or were witnesses to such treatment of their fellow prisoners of war. These documents contained evidence of the beating of numerous unidentified Australian, British, American and Dutch prisoners of war, by the accused at NAKOM PATHON Prisoner of War Hospital and Camp, between Dec 43 and Sep 45, as well as specific beatings and assaults of Pfc J.W. BAILEY, Pfc J.P. BUMPASS of US Armed Forces, MX10457 Pte G.S. COLLINS of 2/3 Ord Coy (AIF) VX23225 Pte H.J. OGDHAM of 2/2 Pnr Bn (AIF) QX17259 L/Sgt I.J. HAMILTON of 2/10 Pd Regt (AIF) Pte L. HARDEN of 2/29 Inf Bn AIF members of the AIF and R. LICHTENVOERT of the Dutch Armed Forces. Injuries sustained by the victims of such assaults included broken arms, and a split skull and internal injuries and two of

(Over)

Sentence and Date: TO BE IMPRISONED FOR 15 YEARS - 27 June 46

Confirmation and by Whom: Maj-Gen L.H. Cox - GOC Singapore District

Promulgation: Confirmation of finding and sentence promulgated to accused on 19 Jul 46

Petition: No petition lodged

J.A.G.'s Report on Petition: Not applicable

Action on Petition: —

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (contd)

such victims were still at the date of trial suffering from the effects of such injuries.

2. The accused gave evidence on oath in his defence and denied having assaulted or beaten any prisoners of war as alleged but admitted that he slapped a Dutch prisoner of war on the face. The accused also admitted being on duty at the Prisoner of War Hospital and Camp at the material times stated in the charge and that his duties included guarding and supervision of working parties. The defence called a witness but his evidence was mainly regarding the good character of the accused.

7

religion

1

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans-217.

AWC No. 2213

Accused: ^K Lieut IMAMURA Masuhiko

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 12 Jun 47
Formation: 8th Military District.

Charge(s)	Plea	Finding
First Charge. Committing a war crime that is to say, ill-treatment of prisoners of war in that he in New Guinea in or about Sep 43 ill-treated Subedar Chint Singh, Sepoy Bawa Singh and Sepoy Piara Singh all Indian prisoners of war, by beating the said Subedar Chint Singh with a stick and by beating the said Sepoy Bawa Singh and Sepoy Piara Singh on their wrists and arms with a stick and by cutting their hair and forcing tobacco into their mouths contrary to their religious observances.	Not guilty	Not guilty (See over for remainder of charges, pleas and findings)
Second Charge. Committing a war crime that is to say ill-treatment of prisoners of war	Not guilty	Not guilty

Precis of Evidence: The evidence for the prosecution was in the main documentary which consisted of statements which had been produced in previous war crime trials. The substance of the evidence was to the effect that the accused had ill-treated Indian prisoners of war by beating them with sticks. The prosecution also alleged that the Indians mentioned in the 5 charges were at all relevant dates prisoners of war and as such were entitled to the privileges of prisoners of war.

2. The accused gave evidence in his defence stating that he had never at any time ill-treated prisoners of war. One Cpl TOKURA Keijiro also gave evidence for the defence as to the good character of the accused.

Sentence
and Date:Confirmation
and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

Second Charge (contd)

	<u>Plea</u>	<u>Finding</u>
in that he in New Guinea in or about 1943 ill-treated Sepoy HOSHIAR SINGH an Indian prisoner of war by beating him with a stick and kicking him.	Not guilty	Not guilty

Third Charge.

Committing a war crime that is to say ill-treatment of prisoners of war in that he near BOIKEN in or about Apr 44 ill-treated Capt NIRPAL CHAND and Subedar CHINT SINGH Indian PWs by beating them with sticks.	Not guilty	Not guilty
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Fourth Charge.

Committing a war crime that is to say ill-treatment of a prisoner of war in that he at RAINBOA in or about Aug 44 ill-treated Jemadar KATIAL SINGH an Indian PW by beating him on the head, face and body with a stick and by tying him to a tree for a period of two days.	Not guilty	Not guilty
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Fifth Charge.

Committing a war crime that is to say ill-treatment of PW in that he at Yawa in or about January 1945 ill-treated Jemadar LACHMAN SINGH and Lance Naik ANOREZU RAM, Indian PW by kicking them.	Not guilty	Not guilty
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RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)*Ans. 214*AWC No. *2121*

Accused: Gen IMAMURA Hitoshi

Aust W.C. List Ser No.....

Court, Place, Rabaul
Date and 1, 2, 5, 6, 7, 8, 9, 12, 13, 15 & 16 May 47
Formation: 8th Military District.

Charge(s)	Plea	Finding
Violation of the laws and usages of war in that between November 1942 and September 45 being a commander of Japanese Armed Forces in New Guinea, New Britain and other Islands within the area of command unlawfully disregarded and failed to discharge his duty as such Commander to control the members of his command whereby they committed brutal atrocities and other high crimes against the people of the Commonwealth of Australia and its allies.	Not guilty	Guilty

Precis of Evidence: The evidence for the prosecution was in the main documentary. The only oral evidence was that given by one Subedar CHINT SINGH a former Indian PW. The substance of the evidence was to the effect that Indian and Chinese soldiers had been brought to Rabaul and were unquestionably PW. Numerous statements containing evidence of war crimes committed by Japanese officers and men who were subordinates of the accused were put in evidence. These statements showed that 39 Indian soldiers, more than 31 Chinese soldiers, a British PW, 9 Dutch PW and 9 Indonesians had been murdered by the Japanese named in such statements. In addition, evidence was also submitted in statements showing that Chinese civilians and natives had been ill-treated and tortured and some deaths had resulted from such ill-treatment or torture. In addition there was documentary evidence of two Japanese Warrant Officers and an NCO torturing a Chinese woman under revolting circumstances and the mutilation of the bodies of Australian prisoners and Australian soldiers.

(PTC)

Sentence and Date: To be imprisoned for 10 years.

Confirmation and by Whom: *Major Gen W. M. Anderson. Adjutant General A.M.F. 9/7/47*Promulgation: *Confirmation of finding and sentence promulgated to the accused on 26/7/47.*

Petition: Lodged 28 May 47 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: *Dismissed 9/7/47*

Filed in Attorney-General's Department and Numbered.....

2.

2. The accused gave evidence in his defence and seven witnesses were called on his behalf. For the defence it was alleged that Indian Chinese and Indonesians were not PW but were attached to the Japanese Army in the nature of civilians. It was further alleged that even though a number of the atrocities were committed by Japanese troops attached to the HQ, of the accused, and in the vicinity of his HQ, he was not aware of such crimes until after the surrender of the Japanese Army.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2338

Accused: Lt-Gen KAWAKUBO, Shizumo

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 30 Mar 46.
Formation: 8 MD.

Charge(s)	Plea	Finding
A VIOLATION OF THE LAWS AND USAGES OF WAR in that he in May 1945 when Commander 51 Div Inf Group improperly confirmed the sentence of death upon two natives of KANBANBURU viz POPAKU and MORAN well knowing that such natives had not been afforded a proper trial	Not guilty	Not guilty.

Precis of Evidence: The evidence for the prosecution consisted of written statements made by Sgt ARAI Kenji, Capt SHINOHARA, Eitaro Capt SHOJI Takeyasu, Capt NEMOTO Toyoji and the accused. The execution of the natives named in the charge arose out of the failure of the natives of a certain village to supply the Japanese with SAC SAC. The Japanese made enquiries at the village as to why SAC SAC was not being sent in and they were attached by the natives. After certain natives had been questioned the natives POPAKU and MORAN being the ringleaders were arrested. It was alleged that the accused sent Capt SHOJI with orders for Capt SHINOHARA to convene a Court Martial at BRANBA for the trial of the natives. The order contained the names of the President and Members of the Court. The natives were called before the Court and were questioned. Eventually the Court sentenced the natives to death. A report on the trial was sent to the accused and the sentence was confirmed by the accused, he ordered the execution to be carried out. It was alleged that the trial lasted for about 4 hours and (over)

Sentence and Date: Not guilty - 30 March 46.

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.

it was admitted that the accused had no defending officer or advocate. The accused stated that he convened the Court Martial because he wanted the natives to have as fair a trial as possible. There was no evidence called by the defence and the defending officer submitted that there was no case to answer.

DPW(AG13(2a)) /WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: Lt MURAI Koichi
WO ADACHI Takeji
Sgt/Maj TAKEI Shizaki
L/Cpl MAEDA Bishin
L/Cpl TOKURA Keijiro
L/Cpl HIBINO Kazuo
Court, Place, RABAU
Date and 22 & 23 March 46
Formation: 8MD

AWC No.....

Aust W.C. List Ser No.....

Charge(s)	Plea	Fine
MURDER in that they at AIN in Oct 44 murdered Pte KIRPA RAM and Pte HARNAM SINGH of the Indian Army	All accused not guilty	All accused not guilty

Precis of Evidence: 1. The evidence for the prosecution was documentary and and consisted of declarations made by members of the Indian Army. The substance of such declarations was as follows:- The accused MAEDA on 21 Oct 44 made a search of certain Indians and in the pockets of the deceased namely KIRPA RAM and HARNAM SINGH he found some rice. On the following morning the accused TAKEI, HIBINO & MAEDA came to the quarters of the deceased tied their hands with their turbans and took them to a place near the ration store. Later witnesses saw these accused beat and kick the deceased until they fell into the stream which was close to where they were standing. The deceased lay there in a semi-conscious condition partly covered with water. A party of Indians including the witnesses moved to another location and all the accused remained behind. When the Indians were moving out and were about 100 yds from the old camp they heard three rifle shots. Next morning the accused TAKEI addressed a party of (over)

Sentence and Date: NOT GUILTY - 23 March 46

Confirmation and by Whom:

Promulgation:

Petition:

J.A.G.'s Report on Petition:

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

Indians which included the witnesses. He said "If you steal we will shoot you as we did Pte KIRPA RAM & Pte HARNAM SINGH when we found them with some rice." The accused were identified by means of photographs. Each of the accused gave evidence in their defence. They denied the charge and accounted for their movements at the time of the alleged murder and stated that they were not in the vicinity thereof. In some factors the evidence of some of the accused was corroborated by other accused.

DPW(AG13(2a))WMcL /AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

M 37 *Ans. 188*

AWC No.....

Accused: Sgt Maj MORIMOTO Kiyomitsu

Aust W.C. List Ser No.....

Court, Place, Date and Formation: MOROTAI
5 Feb 46
Morotai Force

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME that is to say murder of PW in that he at KAATEN in or about the month of August 1945 murdered F/Sgt F.G.B. HUTTON and Sgt A.A. LOCKYER both members of the RAAF and then PW held by the Japanese Armed Forces.	NOT GUILTY	GUILTY of the charge except that the words "an unidentified member of the RAAF" are substituted for the words and letters L/Sgt F.G.B. Hutton.

Precis of Evidence: 1. In about the month of August 1945 - an Australian aircraft (B24) made a forced landing at TOMOHON and three members of the crew survived. It was observed that two members of the crew were taken into custody and were placed in the cells at KEMPEI TAI HQ at KAATEN. There were also Japanese soldiers confined in the nearby cells for committing breach of Japanese military laws. Early one morning the accused woke all the personnel in the cells and announced that the Airforce prisoners would be killed that night. Evidence was adduced that the execution were to be carried out secretly so that the Indonesians would not know what was taking place. Japanese guards gave this evidence and they also stated that they helped to dig the graves. The PW were brought out singly from the cells. The first PW was bound, chloroformed and buried in a grave. The second PW was chloroformed, strangled and buried. The accused was in charge of the PW & took an active part in both murders. He helped to administer the chloroform and assisted in the strangling. After the burials the execution party returned

Sentence and Date: to KEMPEI TAI HQ and a feast of fish and wine was held.

TO SUFFER DEATH BY SHOOTING - 5 Feb 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE - Acting Commander-in-Chief.

Promulgation: Confirmation of finding and sentence promulgated to accused on 30 Mar 46, accused executed at Morotai on 31 Mar 46.

Petition: Lodged Feb 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Maj-Gen ENDO Shinichi

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 29, 30 and 31 Jan 46
Formation: 7 Aust Div

Charge(s)	Plea	Finding
Committing a war crime, that is to say, in violation of the laws and usages of war, neglecting to ensure that Prisoners of War captured and held by the Japanese Army in the Area under his command were treated in accordance with the said laws and usages of war, in that he, whilst Commander of the Japanese Army Force in the Northern Celebes, including Talaud Islands, between the months of December 1944 and September 1945 neglected to issue or enforce any, or any proper or sufficient, orders or instructions, or to take any steps, to provide for the . (see back hereof)	NOT GUILTY	GUILTY

Precis of Evidence:

1. The accused on 22 Sep 44 took over command of that area of the Northern Celebes which was north of the Equator. He was also commander 57 Independent Mixed Bde which had its HQ at MANADO. The Staff Officer to the accused was Lt-Col KOMURA. Between the months of Dec 44 and Sep 45 nine members of the Royal Australian Air Force were shot down in the Northern Celebes. They were interrogated and signals containing the results of such interrogation were sent to the HQ of the deceased and received by Lt-Col KOMURA. The prosecution alleged that the capture of these airmen must have come under the notice of the accused. Evidence was called to show that these airmen were executed. With the exception of three these airmen were put to death by bayonetting. Of the three, two were chloroformed and one was strangled. (Over)

Sentence TO BE IMPRISONED FOR 5 YEARS
and Date: 31 Jan 46Confirmation Lt-Gen V.A.H. Sturdee, Chief of General Staff
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated to the accused on 13 Apr 46.

Petition: Lodged 6 Feb 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss Petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

Charge continued:

treatment in accordance with the laws and usages of war, of Prisoners of War held by the Forces under his command, by reason of which neglect numbers of the said Prisoners of War were unlawfully killed by members of the said Japanese Army Force under the command of the Accused. Particulars of the said Prisoners of War and the dates and places of their said killings are as follows:

23 Mar 45 at Talaud Islands: (Flt/Lt L. Hann
(WO P. Walters
(Flt/Sgt L.N. King
all of the Royal Australian Air Force.
On or about 3 Mar 45 at KAK- (F/O K. Packham
ASKASEN, Northern Celebes: (Flt/Sgt David Benson
(Sgt R.L. Jones
all members of the Royal Australian
Air Force.

On or about 27 Jul 45 at
KAATEN, Northern Celebes : Flt/Sgt J.V. Orgill
a member of the Royal Australian
Air Force.

In or about the month of
August 1945 at KAATEN, (Flt/Sgt F.G.B. Hutton
Northern Celebes : (Sgt A.A. Lockyer
both members of the Royal Australian
Air Force.

Precis of Evidence (contd)

The prosecution alleged that these airmen were murdered without a trial and the murders were brought about by the fact that the accused neglected to issue proper and sufficient orders regarding these prisoners, or if he did issue proper orders he neglected to see that his orders were carried out. Apart from these two factors the accused failed to take any steps to see that the Hague Convention was carried out.

2. The accused gave evidence and witnesses were called on his behalf. The accused alleged that he had given orders that prisoners of war were to be treated with kindness and that he delegated his powers to officers under his command and he assumed that his orders were being carried out.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 183

AWC No. 2230

Accused: Navy Civilian SABANA Setauso

Aust W.C. List Ser No.

Court, Place, HABAU
Date and 22 and 23 Jan 46
Formation: 8 AD

Charge(s)

Plea

Finding

1. MURDER at HAHATAPAI NEW ZEALAND on or about 15 Jan 1943 in company with Navy Civilians HAGA and HAHATAPA and other Japanese of LING CHANG a resident of NEW ZEALAND.

ACCUSED
NOT GUILTY
ON BOTH
CHARGESACCUSED GUILTY
OF BOTH CHARGES

2. CONFISCATION OF PROPERTY in that he at NEW ZEALAND in or about June and August 1943 in company with Navy Civilians HAGA and HAHATAPA confiscated property owned by SINCH CHAN, BERNARD CHAN, PHILIP CHAN (KAYU) MARTIN CHAN and others all residents of NEW ZEALAND.

Precis of Evidence:

1. The evidence for the prosecution was partly verbal and partly documentary. The verbal evidence was given by SINCH CHAN, PHILIP CHAN, and MARTIN CHAN. The documentary evidence consisted of written statements made by natives named BOSHI, LAMU and SUSIAP and written interrogations of the accused.

2. In regard to the first charge it was alleged that the accused was the Japanese official in charge of the District office at HAHATAPAI and this fact was admitted by the defence. On or about 15 Jan 43 the Chinese from adjoining districts assembled at HAHATAPAI pursuant to orders from the Japanese. The accused and the Japanese named HAGA (referred to in the charge) were present. HAGA addressed the Chinese and told them that the deceased LING CHANG was to be shot because he disobeyed Japanese
(Over)

Sentence
and Date:

TO BE IMPRISONED FOR 4 YEARS - 23 JAN 47

Confirmation
and by Whom:

Lt Gen P. H. Studdie C.G.S. AMF 21/3/47

Promulgation:

Confirmation of finding and sentence promulgated to the accused on 9/4/47

Petition:

Lodged Feb 47 against finding and sentence.

J.A.G.'s Report on Petition:

That the finding in respect of the first charge be confirmed and that the finding in respect of the second charge be confirmed. He is of the opinion that imprisonment for 12 months would be a proper sentence in this regard.

Action on Petition:

Dismissed 21/3/47

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 183

AWC No. ~~2034~~

Accused: Navy Civilian SASAKI Setsuo

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 22 and 23 Jan 46
Formation: 8 M

Charge(s)	Plea	Finding
1. MURDER at RABAU NEW IRELAND on or about 15 Jun 1943 in company with Navy Civilians HIGAO and HANAKURA and other Japanese of LHOH CHAO a resident of NEW IRELAND.	ACCUSED NOT GUILTY ON BOTH CHARGES	ACCUSED GUILTY OF BOTH CHARGES
2. CONFISCATION OF PROPERTY in that he at NEW IRELAND in or about June and August 1943 in company with Navy Civilians HIGAO and HANAKURA confiscated property owned by SINCH CHAN, BERNARD CHAN, PHILIP CHAN (KAYU) MARTIN CHAN and others all residents of NEW IRELAND.		

Precis of Evidence:

1. The evidence for the prosecution was partly verbal and partly documentary. The verbal evidence was given by SINCH CHAN, PHILIP CHAN, and MARTIN CHAN. The documentary evidence consisted of written statements made by natives named BOSHI, LAMU and SUSIAP and written interrogations of the accused.

2. In regard to the first charge it was alleged that the accused was the Japanese official in charge of the District office at RABAU and this fact was admitted by the defence. On or about 15 June 43 the Chinese from adjoining districts assembled at RABAU pursuant to orders from the Japanese. The accused and the Japanese named HIGAO (referred to in the charge) were present. HIGAO addressed the Chinese and told them that the deceased LHOH CHAO was to be shot because he disobeyed Japanese
(over)

Sentence and Date: TO BE IMPRISONED FOR 4 YEARS - 23 JAN 47

Confirmation and by Whom: Lt Gen ^{A.} 4th 46. Studee C.G.S. AMF 21/3/47

Promulgation: Confirmation of finding and sentence promulgated to the accused on 9/4/47

Petition: Lodged Feb 47 against finding and sentence.

J.A.G.'s Report on Petition: That the finding in respect of the first charge be NOT confirmed and that the finding in respect of the second charge be confirmed. He is of the opinion that imprisonment for 18 months would be a proper sentence in this regard.

Action on Petition: Dismissed 21/3/47
Filed in Attorney-General's Department and Numbered

Precis of Evidence: (contd)

orders and had also told native boys not to work for the Japanese. HAGA also told the Chinese that they had to be present at the execution of the deceased. The Chinese were then taken to the place of execution where a hole had been dug and later the deceased was brought to the scene in a truck. A Japanese naval party accompanied him and they carried out the shooting of the deceased. Prior to the execution HAGA addressed the deceased but the witnesses were not able to hear what was said. The accused and HAHAMURA were also present but no evidence was tendered as to who was in charge of the naval party or who gave the orders to the party to carry out the shooting. After the execution the body of the deceased was thrown into the hole by natives and these natives then filled in the hole.

3. In regard to the second charge the prosecution alleged that on or about the 15 June 45 the Chinese resident in the district around HAHATANAI were assembled and made to hand over lists of goods and chattels owned by them. They were then placed in prison where they remained for periods up to 14 days. When they were released they returned to their homes and found that certain of their belongings had been taken. Later after their return the accused HAGA and HAHAMURA returned to the homes of the Chinese and removed another quantity of their belongings.

4. The accused gave evidence in his defence. He denied that he took any part in the execution of the deceased and alleged that the deceased had been tried by a Japanese named Yamada of the Civil Administration and the execution was carried out pursuant to the orders of civil administration. As far as the second charge was concerned the accused alleged that the confiscation of the goods as alleged was carried out by civilian administration and he was present when such goods were confiscated in his capacity as Officer in Charge of the District Office at HAHATANAI.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 22.

AWC No. 827, 852

Accused: Capt TAKAKUWA, Takuo
Capt WATANABE, Genzo

Aust W.C. List Ser No.....

Court, Place, LABUAN
Date and 3, 4 and 5 Jan 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
First Charge: MURDER between SANDAKAN and RANAU, BRITISH NORTH BORNEO, between 29 May 45 and 26 Jun 45 when offrs of the Borneo PW Unit, wilfully and without lawful cause or excuse caused to be killed numerous unknown PW.	NOT GUILTY	GUILTY
Second Charge: MASSACRE Third Charge:) at or near RANAU, BRITISH Fourth Charge:) NORTH BORNEO on or about (abbreviated) 1 Aug 45 when offrs of the Borneo PW Unit, wilfully and without lawful cause or excuse, caused to be killed unknown PW to a total number of thirty-three (33) or thereabouts.	NOT GUILTY	GUILTY

Precis of Evidence: These offrs were in charge of guards on the trek of approx 500 Australians and 100 British PW from SANDAKAN en route to RANAU - distance of 165 miles. At a conference TAKAKUWA gave orders that PW dropping out unfit should be shot and organised the march accordingly. 288 PW stretcher cases were left behind and the camp, including medical stores, was completely destroyed by fire prior to the move. PW on the march were supplied with only 4 lbs rice per man for the journey. WATANABE kept records of PW who fell out and either died of illness, were shot or escaped. Sgt Maj TSUJI who moved in rear in charge of the disposal party supplied the figures each day to WATANABE. Approx 183 survivors arrived at RANAU on 26 Jun 45 including 142 Australians. By the 1 Aug 45 only 33 PW were left incl six who were at RANAU prior to 26 Jun 45. On 1 Aug 45 TAKAKUWA called a conference and issued orders for the shooting of the remaining PW. WATANABE and the three NCOs in charge of parties selected guards and WATANABE instructed NCOs to carry out TAKAKUWA's orders. All PW were shot.

Sentence and Date: Capt TAKAKUWA, Takuo - TO SUFFER DEATH BY HANGING
Capt WATANABE, Genzo - TO SUFFER DEATH BY BEING SHOT
5 Jan 46

Confirmation and by Whom: Finding and Sentence confirmed by Acting C-in-C - 27 Feb 46

Promulgation: Confirmation of finding and sentence promulgated because WATANABE on 15 MAR 46 to Captain TAKAKUWA on 5 APR 46. Because WATANABE executed by shooting at MOROTAI on 16 MAR 46. Because TAKAKUWA executed by hanging at Rabat on 6 APR 46

Petition: Submitted 18 Jan 46 against Finding and Sentences of the Court

J.A.G.'s Report on Petition: Finding and Sentences may be confirmed and petition should be dismissed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 733

Accused: Capt HOSHIJIMA, Susumu

Aust W.C. List Ser No.

Court, Place, LABUAN
Date and 8-20 Jan 46
Formation: MOROTAI FORCE

Charge(s) (abbreviated)	Plea	Finding
ILLTREATMENT OF PRISONERS OF WAR at SANDAKAN, BRITISH NORTH BORNEO between Sep 42 and May 45 when Commandant of SANDAKAN PW Camp.		
<u>First Charge:</u> Authorised and permitted PW in his charge to be closely confined under inhuman conditions and cruelly beaten while so confined as a result whereof certain PW died.	NOT GUILTY	GUILTY
<u>Second Charge:</u> Authorised and permitted PW in his charge to be tortured and cruelly beaten by soldiers under his command.	NOT GUILTY	GUILTY
<u>Third Charge:</u> Failed to provide adequate and proper medical care and food for PW in his charge.	NOT GUILTY	GUILTY
<u>Fourth Charge:</u> Authorised and permitted <u>Precis of Evidence:</u> sick and underfed PW in his charge to be employed on heavy manual and other labour.	NOT GUILTY	GUILTY

The accused was firstly a Lieut and later a Capt in charge of the compound and PW labour at SANDAKAN PW Compound from Aug 42 to May 45. Approx 2750 PW were in the compound mainly employed on construction of a Military aerodrome. In Sep 44 the number was reduced to 2250 by the death of approx 200 and transfer to Kuching of approx 320. A further 470 were sent on the first march to Ranau in Jan 45. The accused handed over to Capt TAKAKUWA on 17 May 45. The death rate increased from about Oct 44 and greatly increased in Jan 45 when work on the aerodrome finally ceased and the rice ration was discontinued to PW. The numbers remaining on 17 May 45 were approx 1000 PW. Only one Japanese died during the period. On the first charge - evidence discloses that PW were confined under orders from HOSHIJIMA in cages 4'6" x 5'6" x 3' high. They were beaten and several ~~names~~ BARBER, CLEMENTS, WEBBS ANDERSON and ANNEIR died shortly afterwards. Prisoners had little (over)

Sentence and Date: DEATH BY HANGING 20 Jan 46

Confirmation Finding and Sentence confirmed by Acting C-in-C 27 Feb 46
and by Whom:

Promulgation: *Confirmation of finding and sentence from general to accused on 6 Apr 46. Accused executed by hanging at RABAU on 6 Apr 46*

Petition: Submitted 3 Feb 46 against Finding and Sentence.

J.A.G.'s Report on Petition: Finding and Sentence should be confirmed and recommends that the Sentence should NOT be mitigated.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

7

Precis contd:

clothing and no mosquito nets in the cages.

On the second charge - evidence of numerous beatings and tortures including large parties forced to line up without hats and stand with hands outstretched looking into the sun.

On the third charge - although the death rate was so high medical supplies were not made available. Good stocks of quinine etc were in stock when the Japs surrendered.

On the fourth charge - men were forced to go out on working parties irrespective of their condition of health.

100-2

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)2210, 2212, 2219, 2231
AWC No. 2222Accused: Capt IZUMI, Namio, Lt MURAI, Koichi
Sgt Maj KIBBE, Nobuo, L/Cpl TOKURA,

Aust W.C. List Ser No.

Court, Place, Koihiro
Date and RABAU
Formation: 18-19 Mar 46
8 MDAlso tried same time before
same court - Sgt IGARISHI,
Kinsaku (Not Guilty).

Charge(s)	Plea	Finding
MURDER of Pte RAM SINGH, Indian Army at KARKAR in Jun 45.	N.G.	IZUMI, Namio Guilty MURAI, Koichi " KIBBE Nobuo " TOKURA, Keihiro "

Precis of Evidence: In Jun 45 members of the 19 Indian Working Party were camped at KARKAR. One evening Sgt KIBBE and Sgt SAITO found Pte RAM SINGH in possession of four lemons. They then tied him to the pole of their hut with wire and together with MURAI, IGARASHI and TOKURA beat him severely. MURAI gave Pte RAM SINGH a blow on the head which rendered him unconscious. Capt (then Lt) IZUMI was present and in charge but did not prevent the ill-treatment. Beating continued during the night and next morning. KIBBE and SAITO dragged him out into the sun where he was left all day without water. MURAI ordered three PW to dig a grave and later on, together with KIBBE and TOKURA took Pte RAM SINGH over to the grave. A short time after Indian PW were ordered to complete filling in the grave wherein the body was already lightly covered with earth. Capt IZUMI admits ordering the execution. Lt MURAI admits ordering TOKURA to shoot Pte RAM SINGH. L/Cpl TOKURA admits shooting Pte RAM SINGH. S/Maj KIBBE states that he was on guard 20 yards from the scene of the execution.

Sentence	Capt MIZUMI K.	Death by hanging.
and Date:	Lt MURAI K.	" " "
	19 Mar 46. Sgt Maj KIBBE N.	Imprisonment 15 years
	L/Cpl TOKURA K.	" 10 "

Confirmation Chief of General Staff - Lt Gen V.A.H. STURDEE
and by Whom:Promulgation: Confirmation of finding and sentences promulgated to each accused
on 21 June 46. Accused IZUMI and MURAI executed by hanging at RABAU
22 June 46.

Petition: Submitted 29 Mar 46 against findings and sentences of the Court

J.A.G.'s Report on Petition: Findings and sentences should be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 2211, 2212, 2213, 2228

Accused: Capt MITSUBA Hisaneo
Lt MURAI Koichi
Lt IMAMURA Kazuhiko
L/Cpl HIBINO Kazuo (Not Guilty)

Aust W.C. List Ser No.....

Court, Place, Date and Formation: RABAU
15-18 Mar 46
8 MD.

Charge(s)	Plea	Finding
MURDER of Capt NIRPAL CHAND of the Indian Army at BUT in Apr 44.	Not Guilty	Capt MITSUBA Hisaneo) Lt MURAI Koichi) Guilty) Lt IMAMURA Kazuhiko) I/Cpl HIBINO Kazuo - Not Guilty.

Precis of Evidence: NIRPAL CHAND was senior Indian officer in 19 Indian working party. All the officers were threatened with death for complaining of inadequate rations. On 10 Apr 44 the party was ordered to march from Wewak to Hollandia. Before reaching BUT many Indians escaped and NIRPAL CHAND said they had fallen out because of the heavy loads and asked that they be lightened. He was then taken away and beheaded by MURAI, while IMAMURA sat on his stomach and MITSUBA held his hands. There was no trial.

Defence alleged that NIRPAL CHAND was a member of the Indian National Army and not a PW, and that he was beheaded lawfully because at BUT he incited the other Indians to mutiny.

Sentence and Date: 18 Mar 46. Capt MITSUBA, H. - 20 years' imprisonment.
Lt MURAI, K. - 20 years' imprisonment.
Lt IMAMURA K. - 5 years' imprisonment.

Confirmation and by Whom: 10th May 46.
Deputy Adjutant General (Personal Services).

Promulgation: Confirmation of finding and sentence promulgated to each accused on 17 May 45 except accused MITSUBA. Accused MITSUBA committed suicide on 13 Apr 46.

Petition: Submitted by all convicted accused Mar 46 against findings and sentences - not received until 15th May 46.

J.A.G.'s Report on Petition: JAG advised confirmation of findings and sentences on 29 Apr 46.

JAG advice on Petitions - To be dismissed.
Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)WO HAMAZAKI Masuo
Sgt Maj TAKAI Fukuichi
Civilian Emp IZUKA Takahisa

AWC No. 2900 2901 2905

Accused:

Aust W.C. List Ser No.....

Court, Place, RABUL
Date and 1-2 Mar 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER of KAKARAI at MIOKA ISLAND about Feb 1944	NOT GUILTY	GUILTY

Precis of Evidence: Evidence for the prosecution --

In Feb 44 men, women and children of the village of UMALOT were brought in to Jap HQ at RAKUNDA, Mioka Is by the three accused and police boys. WO HAMAZAKI in charge of the Kempei spoke to them through IZUKA who interpreted the accusation that the villagers had been friendly with the missionaries and had given refuge and food to English people.

Ten men including KAKARAI were segregated from the rest and beaten. They were tied and hung up to trees by THOMAS, a native police boy with their toes just touching the ground. They were cut down at 6 pm and again hung up the next day, questioned and beaten. TAKAI, IZUKA and some Kempei boys beat them this day and IZUKA beat KAKARAI. THOMAS beat KAKARAI on both days and after a beating on the second day KAKARAI was cut down about 6 pm. He was badly injured, his spine appeared to be broken and he died during the night. TAKAI and IZUKA helped to tie up the natives. HAMAZAKI, who beat the natives also, occupied an office about 50 yards away. (over)

Sentence and Date: 2 Mar 46	WO HAMAZAKI Masuo	- imprisoned for 25 years
	Sgt Maj TAKAI, Fukuichi	- " " 15 "
	Civ Emp IZUKA, Takahisa	- " " 15 "

Confirmation Findings and sentences confirmed by Lt Gen V.A.H. STURDEE - 14 May 1946
and by Whom:

Promulgation: 24 May 1946

Petition: Submitted by each accused against finding and sentence of the Court

J.A.G.'s Report on Petition: Recommends that all sentences be confirmed

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (contd):

Evidence for the defence --

WO HAMAZAKI, 6 Fd Provost Unit stated that he was instructed to carry out investigations into activities of a spy ring, led by a missionary named BENJAMIN and located in UMALOT. He sent TAKAI, IZUMA and police boy THOMAS to bring in the villagers. Two or three were tied to a tree and he instructed THOMAS to strike them 2 or 3 times with a light cane. He then instructed THOMAS to tie KAKARAI to a tree. About 5/10 minutes later, he heard THOMAS yelling and screaming to the natives and found that THOMAS had hung up KAKARAI and had apparently been beating him. He ordered KAKARAI to be cut down and returned to the Calaboose. The native appeared to be in pain and next morning THOMAS reported that he had died.

Sgt Maj TAKAI denied that he had anything to do with the interrogation or incident. He admits that he heard the yelling and screaming but as HAMAZAKI went out he did not bother.

IZUKA states that he acted as interpreter. He instructed THOMAS to beat 2 or 3 natives who did not confess. The last to be interrogated was KAKARAI. He interpreted an order from HAMAZAKI to THOMAS to tie up to a tree behind the office and then went back to his own duties at his farm.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Sub-Lt 1st Cl KATAYAMA Hideo
" UEMURA Shigeo
" TAKAHASHI, Toyoji

AWC No.....

Accused:

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 25/28 Feb 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
MURDER at or near GALALA AMBON on or about 16 Aug 44 of four RAAF PW	NOT GUILTY	GUILTY

Precis of Evidence: 4 RAAF Airmen from a crashed bomber were captured and brought to PW Compound Ambon from an outlying island. Lts KATAYAMA and TAKAHASHI received orders from their senior staff officer to execute the 4 airmen. UEMURA, platoon commander of the Compound Guards, was ordered by KATAYAMA to prepare for the execution. The airmen were taken by truck to the execution place on Ambon and were beheaded by KATAYAMA, TAKAHASHI and another.

UEMURA had sent guards and the burial party to the execution site, and was present at the execution. He did not actually execute a prisoner.

KATAYAMA on oath said he had reasons to believe that the airmen had been legally tried by temporary court martial. There was evidence in fact, that there had been no court martial held.

Sentence and Date: DEATH BY SHOOTING
28 Feb 46

Confirmation and by Whom: Lt. Gen V.A.H. STURDEE - 6 Apr. 46

Promulgation: Confirmation of finding & sentence promulgated to accused UEMURA. Accused UEMURA executed at RABAU on 4 MAY 46. (Other accused held as witnesses in pending trials)

Petition: Two petitions submitted against finding and sentence of the Court.

J.A.G.'s Report on Petition: Finding and sentence on Sub-Lt Uemura, Shigeo should NOT be confirmed
" " " " " " Takahashi, Hideo should NOT be confirmed
Action on Petition: " " " " " " Katayama, Hideo may be confirmed

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 1212

Sub Lt 1st Class HONJI, Matagi
Accused: 2nd Class PO KUROKAWA, Eizo

Aust W.C. List Ser No.

Court, Place, MOROTAI
Date and 18 Feb 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
Committing a war crime that is to say murder of a prisoner of war in that they at or near HALONG AMBON on or about 30 April 1945 murdered VX19415 Pte SCHAEFER F.N. of 2/21 Australian Infantry Battalion then a prisoner of war held by the Japanese Armed Forces	NOT GUILTY	GUILTY

Precis of Evidence: The evidence shows that:

- (a) Pte SCHAEFER an Australian PW held by the Japanese in Tantoey Camp escaped on 26 Mar 45 and was recaptured 10 Apr 45.
- (b) The Shirozu Unit was responsible for the guarding and administration of PW in Tantoey Camp. Lt Miyazaki was 2 i/c Shirozu Unit and said that Schaefer was interrogated regarding the route taken during his freedom. According to Capt Shirozu, Comd of Shirozu Unit, Schaefer was questioned immediately after his recapture and "admitted the crime". These two interrogations were the only form of inquiry held on Schaefer's alleged crime between his recapture and execution.
- (c) It was not legal for a local Jap Comd to execute a PW for an alleged offence without a trial before a court martial. (over)

18 Feb 46
Sentence and Date: HONJI Matagi - TO SUFFER DEATH BY SHOOTING
KUROKAWA Eizo - IMPRISONMENT FOR 15 YEARSConfirmation
and by Whom:

Promulgation:

Petition: Submitted against the Findings and Sentences of the Court.

J.A.G.'s Report on Petition: Findings and Sentences should NOT be confirmed.

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (contd)

- (d) Such a court is authorised by Japanese Court Martial Law to try PW, and penalties are prescribed in Japanese Naval Laws and Regulations for different offences by PW. In a trial by Court Martial in the case of attempted escape by a PW the penalty is not necessarily death.
- (e) According to Jap Naval Regulations, the power of Jap Naval Authorities guarding PW in the matter of offences committed by PW is that in the capacity of Naval Judicial police they shall carry out an investigation only and then transfer the case to the nearest Military Court Martial. This procedure was not initiated by Capt Shirozu and/or Capt Kawasaki, Senior SO, 25 Naval Base Unit.
- (f) On the 29 Apr 45 Lt Miyazaki received verbal orders from Capt Shirozu to execute Pte Schaefer.
- (g) On 30 Apr 45 Sub Lt HONJI, the accused, was instructed by Lt MIYAZAKI to carry out the execution of a PW who had been guilty of theft and attempted escape. Honji said he made preparations forthwith. He took five guards with him to the place of execution. After digging the hole the prisoner (Schaefer) was brought to the spot. Honji detailed PO KUROKAWA to carry out Schaefer was beheaded in Honji's presence and under his instructions. Honji said he thought that Schaefer had been sentenced by a military court and it was after the Japanese surrender that he learned that the execution was carried out without the decision of the military court. There was no military court sitting at any relevant time. Honji did not ask for a warrant for the execution or question the legality of the verbal order for the execution.
- (h) PO KUROKAWA said that at about 0800 hrs on 30 Apr 45 he was ordered by S/Lt HONJI to go with him and carry out an execution. Honji brought out an Australian PW and they went to the place of execution. On the orders of Honji he beheaded the prisoner. He was very upset about the order but carried it out because he thought the execution was the result of proper procedure.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

1745
Quo 21

AWC No. 1257

Accused: Capt. SHIROZU, Wadami, and
others (See Appendix 'A').

Aust W.C. List Ser No.

Court, Place, Ambon - from 2 Jan 46 to 18 Jan 46 and
Date and Morotai - from 25 Jan 46 to 15 Feb 46.
Formation: Morotai Force.

Charge(s)	Plea	Finding
Committing a war crime, namely ill-treatment of prisoners of war, in that they in and between the months of Feb 42 and Aug 45, ill-treated Aust and Dutch prisoners of war at Tan Toey Camp Ambon by (a) physical beatings and torture (b) compelling sick and infirm PW to go out on working parties (c) failing to ensure the provision of proper food supplies (d) failing to ensure the provision of proper medical supplies and medical care.	Not Guilty	Guilty

Precis of Evidence: In October 1942 there were 548 Allied prisoners of war in Tantoei Camp, Ambon. When the Japanese surrendered, 139 only were alive and some of these died after repatriation. These 409 PW died in captivity. The 20 Garrison Unit was responsible for the custody and administration of PW at Tantoei. A Land Guard, under command of HQ, 20 Garrison Unit provided a detachment of guards for the PW Camp. All of the accused were members of the 20 Garrison Unit.

2. Capt SHIROZU, Wadami, was Commander of 20 Garrison Unit from Nov 43 - Aug 45. SHIROZU said when he took over the PW Camp he was satisfied with its previous administration. He allowed this administration to continue and did not attempt to make any improvement. He was told by an interpreter IKEUCHI, that PW were being punished by slapping and kicking but did not take any steps to prevent this. SHIROZU visited the PW Camp (Over)

Sentence and Date: See Appendix 'A'.

Confirmation and by Whom: Lt Gen V. A.H. STURDIE - 14 MAY 46

Promulgation: Confirmation of findings & sentences promulgated to accused by all concerned on 24 May 46 except NAGASATO to show promulgation effected on 7 Jun 46

Petition: Submitted against the Finding and Sentences of the Court.

J.A.G.'s Report on Petition: Findings and sentences may be confirmed.

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

twice only. Members of his unit practised a continuous policy of brutal ill-treatment, beating and torturing of PW and neglect and/or omission, to supply PW with adequate food, medical care, clothing and living quarters to sustain life.

3. From Sep 44 - Aug 45, the rice issued to PW averaged 6 ounces per man per day and very often was mixed with sand and dirt. This 6 ounces of rice was increased to a total of 25 ounces of food per day by the addition of sweet potatoes, sweet potato tops and tabioco, these additions being worthless from a nutrition point of view. Also, the 40 kgm sacks of rice were invariably under weight and the edible amount further reduced by decomposition. During the same period, Japanese troops received 15 ounces of rice per day plus other foods and were also buying privately. SHIROZU states that the reason for so treating the PW was that rice was unsuitable to their taste and constitution.

4. Requisitions for medical supplies were never completely fulfilled, the amount granted being hopelessly inadequate to give PW proper medical care - one month when there were 200 ulcer cases in the Camp, one only, bandage was supplied.

5. For 6 weeks commencing Nov 44 a form of torture was introduced, known as the "long carry". This consisted of working parties of approximately 100 PW being forced to carry loads of bombs and cement weighing 90 to 150 lbs. over 8 miles of rugged, precipitous country. The Japanese never used the bombs or cement and this treatment was designed to lower the morale of the PW and to accelerate their ultimate death. Infirm PW made progress on all fours and were clubbed along the track by the guards. Many PW were carried back by their comrades to camp unconscious and died without recovering consciousness.

6. Civilian Interpreter IKEUCHI, Masakiyo - also known as "Frank", "Snakers" and "Kangaroo", was Interpreter and Camp Manager at Tantoei Camp from Feb 42 - Aug 45.

7. On 12th July 1942, 33 Dutchmen were brutally beaten for exchanging letters with members of the Dutch Civilian Internee Camp. The beating lasted for 3 hours, one Japanese being allocated to one PW. IKEUCHI participated in this beating and his victim died the next day from internal injuries. Two other victims, one of whom had an eye torn from its socket, died on the day following the beating. Twenty-three others returned to camp with broken legs, arms and/or ribs.

8. After an Allied bombing raid in Feb 43 which exploded a bomb dump (placed inside the PW Camp in spite of protests by PW officers) and caused approximately 36 Allied and PW internee deaths, the Australian Camp CO put a Red Cross on the roof of a Camp Hospital building. IKEUCHI ordered this to be taken down.

9. IKEUCHI had the responsibility of supplying the working parties requisitioned by Japanese units. To make up the required number, IKEUCHI would make a round of the hospital and huts and club sick and dying men, some on crutches, on to the working parade. Cpl J. KNIGHT died two days after IKEUCHI had belted him on a bad ulcer. On another occasion, he belted Lieut R.A. GRANGER unconscious with a 14 lb wooden club. IKEUCHI had power to reduce requests for working parties. IKEUCHI withheld and interfered with medical supplies.

10. IKEUCHI was present and participated in a group atrocity (hereinafter referred to as the "mass beating" because it refers to a number of the accused), the details of which are as follows :-

11. For allegedly breaking out of camp and visiting a native village, 23 Australian PW were systematically beaten and tortured for a period of approximately 8 days. Some were bound to trees, others were strung up by cable wire bound around their wrists with their toes just touching the ground. They were beaten into insensibility with pick handles rubber hose and/or lengths of wire, revived by cold water being thrown over them, then beaten insensibly again and tortured by lighted cigarettes thrust up their nostrils. The victims were given one rice meal a day with water. Sometimes after they had drunk the water, the Japanese would jump on their stomachs. At the end of the beating, all but 11 were returned to the camp suffering from broken bones, concussion

and severe lacerations. The 11 who did not return to camp were subsequently executed.

12. 1/Lt MIYAZAKI, Yoshio, who was Camp Commandant and Commander, the Land Guard, which supplied a detachment of guards for the PW Camp, never interfered with the brutal conduct of his guards. He often visited PW working parties and saw the condition of the men engaged. One particular party which he visited was removing picric acid from bombs with iron tools, in spite of the danger of sparks causing explosions. This possibility of explosion was explained to the Japanese at the same time as requests were made for rubber and/or wooden hammers. The requests were ignored. Eventually an explosion occurred causing the deaths of 5 Australians. After the explosion, the same conditions prevailed on this task. MIYAZAKI was present at the mass beating.

13. Sub Lt SIMAKAWA, Masaichi, was in actual charge of the guards at the PW Camp but never did anything to prevent his guards from beating and torturing the PW. On one occasion, he beat a PW with a billet of wood.

14. Lt-Comdr NAKAMURA, Ryosuke, Senior Surgeon 20 Garrison Unit from Jan 44 to Aug 45, in his reports on the medical position of 20 Garrison personnel never mentioned PW or asked for medical supplies. NAKAMURA never asked for hospitalisation in the Japanese Naval Hospital for serious sick PW which would have been the correct procedure.

15. After the Japanese surrender, NAKAMURA inundated the PW Hospital with medical stores and food and visited the Hospital every day. Prior to the Japanese surrender, he had never been near the PW Hospital.

16. Two amputations were carried out on PW by PW medical officers, the surgeon using a butcher's knife and saw. A request by them to Japanese Camp HQ for surgical instruments was ignored.

17. Several requests by PW doctors for consultations with Japanese doctors were ignored.

18. Petty Officer 1/Cl TANAKA, Masashi (Frill Neck) brutally beat Pte TAIT with a pick handle until he was unconscious, revived him with cold water, then knocked him insensible again. While Pte TAIT was on the ground, TANAKA also kicked him on the body and testicles. From then on, until he was found dead on the road one morning two months later, Pte TAIT often complained about his heart and told a friend that the beating really broke him.

19. TANAKA was also responsible for several other severe beatings, including a PW in an isolation cell.

20. Petty Officer 1/Cl TAKEUCHI, Michio, constantly beat PW on his working party to such an extent that some of the victims were carried back to the camp unconscious. Two died after his beatings.

21. Petty Officer 1/Cl MATSUDA, Masao (Grey Mare) was hostile towards PW and was constantly beating them.

22. Petty Officer 1/Cl NAGATANI, Takeji (Gold tooth No.2) participated in the mass beating and on two occasions, severely beat with a stick and kicked PW, one of whom died subsequent to the beating.

23. Petty Officer 2/Cl KUGE, Kazuyoshi, participated in the mass beating and in July 45 he severely beat a PW with his rifle butt. In addition he was constantly administering beatings and slappings.

24. Petty Officer 2/Cl SANODA, Tsunayaski, participated in the mass beating and brutally beat Cpl BLIGHT while he was very ill. Cpl BLIGHT died one month later. SANODA was constantly administering

beatings and slappings. However SANODA gave presents to PW on occasions for doing small jobs for him.

25. Petty Officer 1/Cl YAMAMOTO (Giggling Gertie) Tatsuo, participated in the mass beating and was a consistent sadistic brutal beater of PW. YAMAMOTO delighted in inflicting the Lochedo torture which consisted of forcing the victim to stand on one leg with the other leg stretched out clear of the ground and the arms stretched. Another punishment he frequently awarded PW was two or three hours doing body presses. When the victims collapsed during the above tortures, they were beaten and kicked into position again.

26. Petty Officer 1/Cl SUECHIRO, Masajiro (Muttering Mick) was a constant mild beater of PW except that on one occasion he split a Dutch PW lip.

27. Chief Petty Officer UTSOMOMIYA, Isamu, participated in the mass beating.

28. Petty Officer 1/Cl MAEDA, Yukio, participated in the mass beating. Also severely beat and inflicted the Lochedo torture on two PW for 4 hours.

29. WO AOKI, Fumio, participated in the mass beating and was responsible for a number of beatings.

30. Chief Petty Officer HIMENO, Tokifuku, participated in the mass beating and on one occasion, severely beat 2 PW who as a result had to be carried back to camp. On another occasion, he beat and kicked a PW on the ground.

31. Chief Petty Officer UCHIKAWUA, Tokio, participated in the mass beating and beat Pte PATTERSON severely with a rifle butt and then stood him to attention for 6 hours.

32. Petty Officer 2/Cl TANAKA, Shoichi, participated in the mass beating.

33. Petty Officer 3/Cl KONDO, Michitaka, administered several beatings with sticks and fists.

34. Chief Petty Officer TAKEGAWUA, Sadaji, participated in the mass beating.

35. FUJIWARA, Kameichi (Horse face) constantly beat PW and inflicted the Lochedo torture. He also frequently made PW hold heavy stones above their heads. Cpl NOAR died two days after undergoing this torture.

36. Petty Officer 1/Cl MANABE, Sadao, participated in the mass beating. Was also responsible for one beating with fists.

37. Petty Officer 1/Cl HAYASHI, Toyoichi (Regimental Secretary) participated in the mass beating and was responsible for frequent beating with stick and fists. On one occasion, he beat a PW unconscious with a wooden billet.

38. Chief Petty Officer ANESHIMA, Hisanor, participated in the mass beating and on two separate occasions severely beat PW with a rifle butt and a stick respectively because they were too sick to work.

39. Chief Petty Officer MURATA, Sanemi, participated in the mass beating.

40. Chief Petty Officer KAWATA, Shigeo, was a member of the PW Camp Guard and was responsible collectively with other members of the Guard for PW treatment.

41. Petty Officer 1/Cl HIGA, Hirochide, participated in the mass beating and before Pte BOYCE was executed, he slapped him and made him perform a Lochedo torture, for some hours. HIGA was also

responsible for 2 other severe beatings.

42. Petty Officer 1/C1 YASUNOBU, Hisao, participated in the mass beating and administered frequent beatings with stick and fists.

43. Petty Officer 1/C1 HYODO, Naoyoshi (Creeping Jesus) was very hostile towards PW and administered frequent beatings. He was a cold-blooded beater.

44. Petty Officer 1/C1 IKEDA, Chikara, participated in the mass beating and was responsible for two beatings with a rifle butt.

45. Chief Petty Officer TOKUDOMI, Kazuo, participated in the mass beating and was responsible for one severe beating with a rifle butt.

46. Chief Petty Officer HARAGUCHI, Masaichi, participated in the mass beating.

47. WO NAGASATO, Aizo, participated in the mass beating.

48. Petty Officer 1/C1 HARAGUCHI, Aizo, participated in the mass beating.

49. Chief Petty Officer ASAO, Yoshiteru, was hostile towards PW and administered frequent beatings to members of his working party.

APPENDIX 'A'
RECORD OF MILITARY COURT

ACCUSED FOUND GUILTY - SENTENCE AND DATE.

<u>Name</u>	<u>Sentence</u>	<u>Date</u>	<u>Confirmation</u>
SHIROZU, Wadami	to suffer death by shooting	15 Feb 46	
MIYAZAKI, Yoshio	" " " " " "	" " "	"
SHIMAKAWA, Masaichi	" " " " " "	" " "	"
IKEUCHI, Masakiyo	" " " " " "	" " "	"
NAKAMURA, Ryosuke	to be imprisoned for 18 months	" " "	"
AOKI, Fumio	" " " " 5 years	" " "	"
NAGASATO, Aizo	" " " " 1 "	" " "	"
FUJIWARA, Kameichi	" " " " 8 "	" " "	"
AMESHIMA, Hisanori	" " " " 3 "	" " "	"
ASAO, Yoshiteru	" " " " 2 "	" " "	"
HARAGUCHI, Masaichi	" " " " 1 "	" " "	"
HIMENO, Tokifuku	" " " " 5 "	" " "	"
KAWATA, Shigeo	" " " " 1 "	" " "	"
MURATA, Sanemi	" " " " 5 "	" " "	"
TAKEGAWA, Sadaji	" " " " 1 "	" " "	"
UTSONOMIYA, Isamu	" " " " 5 "	" " "	"
UCHIKAWA, Tokio	" " " " 4 "	" " "	"
HYODO, Naoyoshi	" " " " 5 "	" " "	"
HIGA, Hirohide	" " " " 2 "	" " "	"
HAYASHI, Toyochi	" " " " 6 "	" " "	"
MAEDA, Yukio	" " " " 6 "	" " "	"
MATSUDA, Masao	" " " " 15 "	" " "	"
MANABE, Sadao	" " " " 2 "	" " "	"
NAGATANI, Takeji	" " " " 12 "	" " "	"
SUEHIRO, Masajiro	" " " " 7 "	" " "	"
TAKEUCHI, Nichio	" " " " 20 "	" " "	"
TANAKA, Masashi	" " " " 20 "	" " "	"
YAMAMOTO, Tatsuo	" " " " 18 "	" " "	"
YUSUNOBU, Hisao	" " " " 2 "	" " "	"
KUGE, Kazuyoshi	" " " " 10 "	" " "	"
SONADA, Tsunayuki	" " " " 10 "	" " "	"
TANAKA, Shoichi	" " " " 2 "	" " "	"
KONDO, Michitaka	" " " " 4 "	" " "	"
TOKUDOME, Kazuo	" " " " 1 "	" " "	"
IKEDA, Chikara	" " " " 3 "	" " "	"
HARAGUCHI, Aizo	" " " " 1 "	" " "	"

DPW(AG13(2a))/ WMcL/AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R7 *Ans 23.*

AWC No. 2676

Accused: Navy Workman KIKAWA, Haruo

Aust W.C. List Ser No.

Court, Place, RABAUL
Date and 4 and 10 Jan 46
Formation: 11 Aust Div

Charge(s)	Plea	Finding
<u>First Charge:</u> MURDER at TOBERA about Aug 43 murdered TO LUI TO MORAG TO EDLIN.	Not Guilty	Guilty
<u>Second Charge:</u> MURDER at TOBERA about Aug 43 murdered TO URAVAGI and TO VARGIL	Not Guilty	Guilty

Precis of Evidence: About Aug 43 a number of native boys were employed on earthwork at TOBERA airfield. The accused Kikawa was in charge of the Camp, welfare of the boys etc. A Jap called Nagao who wore glasses was apparently in charge of a working party and struck one native with a plank. The native retaliated and broke Nagao's glasses. Natives ran away and were brought back to the field. Natives were lined up and the one concerned in the striking incident and four others were fallen out, tied up and hit on the head with a mallet. Three were apparently killed instantly and two still lived. A Japanese then struck all five with a piece of wood. The three dead and two living natives were buried. The evidence of two natives is in agreement except that one stated that Kikawa used the mallet in the presence of Nagao and the other states that Nagao used the mallet and that Kikawa helped tie the natives and struck them with the piece of wood. The defence is an alibi, supported by Lt Yui that he arrived at the scene after the incidents detailed.

Sentence To suffer death by hanging.
and Date: 10 Jan 46.

Confirmation Finding and sentence confirmed and warrant signed by
and by Whom: 26 Feb 46. Acting C-in-C.

Promulgation:

Petition: Submitted 23 Jan 46 against Finding and Sentence of the Court

J.A.G.'s Report on Petition: That Finding and Sentence be confirmed

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

1123 *Ans 28*

AWC No.....

Accused: Capt KATO, Kihachiro

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 14 Jan 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
Murder of a prisoner of war between 10 Mar 45 and 20 Mar 45 at KAPARAPOKA, DUTCH NEW GUINEA	Not Guilty	Guilty

Precis of Evidence: In Nov 44 Capt KATO (then Lt KATO) was in charge of an outpost consisting of 4 Japanese and 16 Indonesian soldiers, situated on the estuary of one of the rivers in Dutch Borneo. An Australian patrol was ambushed and one Sig Williams captured and brought to outpost. Sig Williams was apparently well-treated, but Capt KATO by signal asked for instructions as to what to do with the prisoner. He received a signal in Mar 45 from his HQ, signed by the Chief of Staff ordering him to execute the prisoner. A couple of days later this order was carried out by shooting by a squad of 5 Indonesians under the command of Capt KATO. The deceased was properly buried. Capt KATO knew that the prisoner had committed no crime and had received no form of trial.

Sentence
and Date: To suffer death by shooting
 14 JAN 46.

Confirmation Finding and Sentence confirmed by Acting C-in-C - 26 Feb 46.
and by Whom:

Promulgation: *Confirmation of finding and sentence formally given to accused on 5 Mar 46. Executed by shooting on 6 Mar 46*

Petition: Submitted 15 Jan 46 against Finding and Sentence of the Court.

J.A.G.'s Report on Petition: Comd of Morotai Force in forwarding proceedings recommends the sentence should not be varied.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT **(JAPANESE WAR CRIMINALS)**

AWC No.....

Accused: Lt-Col KOMURA, Takewo

Aust W.C. List Ser No.....

Court, Place, MOROTAI
 Date and 16-18 Jan 46
 Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
<p>MURDER OF PRISONERS OF WAR</p> <p>at MANADO in or about Jan/Feb 45 unlawfully ordered and caused to be carried out at BEO on the 23 Mar 45 the killing of Flt/Lt L. HANN; WO P. WALTERS and Sgt L.N. KING all members of the RAAF and PW held by Japs.</p>	NOT GUILTY	GUILTY

Precis of Evidence: The abovenamed PW were executed on TALAUD Is at the orders of Col Koba, the CO of Forces on the Is. There is evidence by members of Koba Force, including signal and cipher clerks, that, in response to a request from Koba Force asking for instructions what to do with the PW, a signal was received from Chief of Staff KATSURA Force "GENCHI SHOBUN" interpreted "You are to dispose of them locally". This was taken to mean by those concerned that they were to be executed. Lt-Col KOMURA, Takewo was the only staff offr on HQ Katsura Force 57 Indep Mixed Bde at Manado. Col Koba and his officers told the American torpedo force who arrived after the Jap surrender that the PW had been sent to Manado on 25 Jul well knowing that they had been executed in March. The accused denied that he had sent the signal "Genchi Shobun".

Sentence
and Date: TO SUFFER DEATH BY SHOOTING
18 Jan 46

Confirmation
and by Whom: Finding and Sentence confirmed by Acting C-in-C - 27 Feb 46.

Promulgation: *Confirmation of finding and sentence promulgated to the accused on 16 Mar 46. Executed by shooting at MOROTAI on 16 Mar 46*

Petition: Submitted 27 Jan 46 against Finding and Sentence of the Court

J.A.G.'s Report on Petition: Personally feel some doubt but cannot advise that the finding and sentence should not be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ques 33

AWC No.....

Accused: Sgt SANO, Kyuichi
Junior Civilian Offr TAMAKI, Goro

Aust W.C. List Ser No.....

Court, Place, RABAU
Date and 28 Jan 46
Formation: 11 Div

Charge(s)	Plea	Finding
TORTURING a civilian in that they at BITAPAKA, about Nov 1944 tortured a number of natives.	NOT GUILTY	GUILTY

Precis of Evidence: The native civilians were accused of stealing meat by Sgt SANO Jap MP and Junior Civilian Officer TAMAKI who in the course of questioning ordered Kempei boys to tie the natives up with feet off the ground for about 11 hours during which time they were questioned, severely beaten with canes by Kempei boys and slapped by SANO and TAMAKI. This procedure was repeated the following day. Some natives confessed and were cut down and one was unconscious. Admitted in evidence that natives had stolen meat and other food. The defence claimed that TAMAKI is a civilian attached to the Navy and only acted as interpreter. SANO ordered that the natives be tied up and when he discovered that they were hung up he ordered them to be cut down.

Sentence and Date: Sgt SANO, Kyuichi - 5 years imprisonment with hard labour
Jun Civ Offr TAMAKI, Goro - 2 years imprisonment with hard labour
31 Jan 46

Confirmation and by Whom: Lt Gen V.A.H. STURDEE - Commander-in-Chief

Promulgation: Confirmation of finding and sentences promulgated to the accused on 15 May 46.

Petition: Submitted by TAMAKI, Goro 4 Feb 46 against finding and sentence of the Court

J.A.G.'s Report on Petition: That the findings and sentences be confirmed.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Rear Admiral HAMANAKA, Kyoho

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 11-12 Jan 46
Formation: MOROTAI FORCE

(Also charged same time
before same court
Commander TAKASAKI, Masimitsu -Not Guilty)

Charge(s)	Plea	Finding
MURDER of prisoners of war in or about Jun 45 at TONSEALAMA, unlawfully ordered and caused to be carried out at SARIO on 19 Jun 45 the killing of WO McQUIGAN W. (RAAF) and SBA HILL, A. (RAN) both PW held by Jap armed forces.	NOT GUILTY	ACCUSED HAMANAKA found GUILTY With a recommendation to mercy

Precis of Evidence: Evidence given that accused was Comd 8 Garrison Comd at Tonsealama. Six PW (2 Aust, 2 Dutch and 2 Indonesians) were executed on 19 Jun 45. Lt. YUNOMURA, Fumiwo, who carried out the executions which included the above 2 Aust, alleged that at a conference in the Ops room at Garrison HQ Comd TAKASAKI gave him instructions for the execution and he also received a written order per WO YAMAGUCHI signed either by TAKASAKI or HAMANAKA. The PW were brought from TONSEALAMA to MANADO by YAMAGUCHI. YAMAGUCHI states that Lt. KATAGIRI handed him a document which was a general order and told him to prepare the order for execution. Comd TAKASAKI was in comd of TOKKEI TAI (Marine Police) and under date 1 May 45 handed over to HAMANAKA but actual date of take over was sometime in May or Jun 45 and Takasaki became 2 i/c of the 8th Garrison. The accused, Rear Admiral HAMANAKA, Kyoho has admitted that Lt. KATAGIRI asked permission to execute some PW and he gave his unwilling consent as orders had been received from 10th Fleet that airmen who strafed and bombed indiscriminately thereby stirring up Indonesians should be executed.

Sentence
and Date: TO SUFFER DEATH BY SHOOTING
12 Jan 46

Confirmation Finding confirmed
and by Whom: Sentence commuted to 15 years imprisonment
by Acting C-in-C - 27 Feb 46

Promulgation: *Confirmation of finding and sentence as commuted promulgated to accused on 21 MAR 46*

Petition: Submitted 24 Jan 46 against Finding and Sentence

J.A.G.'s Report on Petition: The Finding may be confirmed
The recommendation of the Court to mercy may be given effect to.

Action on Petition:
Upheld

Filed in Attorney-General's Department and Numbered.....

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Lt KATAGIRI, Tameyoshi

Aust W.C. List Ser No.....

Court, Place, MOROTAI
Date and 15 Feb 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
MURDER Aided and abetted Lt YUNOMURA, Fumiwo in murder of WO McQUIGAN, RAAF and SBA HILL RAN, both PW at NORTHERN CELEBES on 19 Jun 45.	NOT GUILTY	GUILTY

Precis of Evidence: Witness for prosecution Rear Admiral Hamanaka states -
Lt KATAGIRI came to me on the evening of the 18 Jun or morning of 19 Jun
and said that we should execute these PW as the war situation is becoming
worse and there is no way of sending the PW to Makassar; also the 10th
Fleet Order that aircrew who made attacks on, and inflicted damage to
lives and property of non-combatants should be executed without trial.
I said "It can't be helped". Katagiri was 2 i/c of TOKKEI TAI under Comd
TAKASAKI who always examined PW. I issued no order for a trial.
Naval WO No 8 Garrison Unit YAMAGUCHI, Shiro stated that Lt
KATAGIRI said "Prisoners are going to be killed at MANADO and the
No 1 Coy Comd, Lt YUNOMURA, has been asked to do it". He told me to take
the PW to MANADO. He showed me papers re PW and told me to write the
execution order. I took down all documents including I think a rough
copy of the order. KATAGIRI told me to get things ready such as the graves
(over)

Sentence IMPRISONMENT FOR 10 YEARS
and Date: 16 Feb 46

Confirmation and by Whom: Confirmed by Lt Gen V. A. H. Sturdee - 1 MAY 46

Promulgation: Confirmation of the finding and sentence promulgated -
also to accused on 10 MAY 46

Petition: Submitted 16 Feb 46 against Finding and Sentence of the Court.

J.A.G.'s Report on Petition: Recommend the petition should be dismissed.

Action on Petition:

Filed in Attorney-General's Department and Numbered.....

Precis contd:

I wrote out the sentence paper neatly at MANADO where KATAGIRI examined it and said "That is all right". Then I got it back and gave it to YUNOMURA. Lt YUNOMURA gave the order to bayonet the PW in the presence of Lt KATAGIRI, the Medical Lt MORI and others. Lt YUNOMURA stated that he received orders for the execution from Comd TAKASAKI.

Defence is that Rear Admiral HAMANAKA ordered KATAGIRI to attend the execution, as his staff officer. The accused gave evidence on oath that Comd Takasaki actually handled the business of TOKKEI TAI. WO YAMAGUCHI was senior NCO and also handled clothing and feeding of PW.

He remembered Comd TAKASAKI ringing Lt YUNOMURA and telling him "You carry out the execution tomorrow". The PW had been at MANADO for over 2 months. Comd TAKASAKI told the witness of the 10th Fleet Order on the 18 Jun for the first time. The questioning of the PW was done by TAKASAKI. The accused denied having any conversation with Rear Admiral HAMANAKA relative to the execution of these PW. The accused denied having instructed YAMAGUCHI to get everything ready and to have the graves dug, or to write the execution order.

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Accused: Sgt Mjr TANAKA Chuichi
Cpl TAKENOUCHI Yoshito
Cpl MAYAMA Mihachi

AWC No. 2762 2756 2750

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 12 Jul 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT OF PRISONERS OF WAR (1) At KOMORIYAMA on or about 12/13 May 1945 ill-treated 9369 NAIK BAAGA SINGH and 7455 Sepoy DAN SINGH of 3/16 Punjab Regt Indian Prisoners of War 1st charge.	All accused guilty on 1st charge. Accused TANAKA guilty on 2nd charge	
(2) At KOMORIYAMA on or about 1 August 1945 ill treated 9799 Sepoy MUNSHA SINGH of 5/11 Sikh Regiment, an Indian Prisoner of War	Accused TANAKA C. not guilty on second charge	

Points of Evidence: 1. The evidence adduced by the prosecution on both charges consisted of written statements of Sepoy DAN SINGH, Naik BAAGA SINGH, Sepoy MUNSHA SINGH, Jemadar PAKHA SINGH, a document containing statements made by Subedar Major HARNAN SINGH and L/Naik JAGIR SINGH and the interrogations of each of the accused reduced to writing and signed by them.

2. In connection with the first charge the substance of the evidence against all three accused was as follows. The Indians named in the first charge were members of the Sikh religion and were PW in the hands of the Japanese at KOMORIYAMA, NEW BRITAIN. In May 45 there were 4 Japanese in charge of the Camp where the PW were located. The Japanese were the three accused and one Lt TAKEDA. Both DAN SINGH and BAAGA SINGH were performing guard duty at a tapioca garden. The area to be watched was extensive. On 12 & 13 May during the hours of darkness both Indians carried out their duties but at daybreak it was found that ten tapioca plants had been stolen.

Sentence and Date: Accused TANAKA C. TO BE IMPRISONED FOR 2 YEARS - 12 Jul 46 (over)
" TAKENOUCHI Y. " " " 12 MONTHS - 12 Jul 46
" MAYAMA M " " " 6 MONTHS - 12 Jul 46

Confirmation and by Whom: Lt-Gen. V.A.H. Sturdee

Promulgation: Confirmation of findings & sentences promulgated to the accused on 18 Dec 46

Petition: Petitions lodged 22 Jul 46 by all accused against finding and sentence.

J.A.G.'s Report on Petition: Confirmation of findings and sentences except that the finding be quashed insofar as it refers to illtreatment of BAAGA SINGH by accused MAYAMA. Petitions except as aforesaid be dismissed.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

Precis (continued)

DAN SINGH reported the theft to the accused TANAKA. TANAKA was very angry and said to DAN SINGH "Buggers, what are you sentries doing there". "You only eat and sleep". The other accused were also present. The accused TANAKA beat DAN SINGH with a stick till it broke. He picked up another stick and continued the beating. In all such beating lasted 15 minutes. With the help of the accused TAKENOUCHI, the accused TANAKA tied DAN SINGH to a tree and the accused TAKENOUCHI proceeded to cut off DAN SINGH's beard with a pair of scissors. The accused MAYAMA stood by with a stick and every time DAN SINGH called out the accused MAYAMA struck him with a stick.* The accused TAKENOUCHI then beat BAGGA SINGH with a stick until he lost consciousness. BAGGA SINGH was then forced to stand up and the accused TANAKA tied his hands behind his back and proceeded to cut off his beard.

3. The accused TANAKA admitted cutting off the beards of DAN SINGH and BAGGA SINGH but alleged that he did so pursuant to orders of Lt TAKEDA. He denied that the Indians were beaten. The accused TAKENOUCHI alleged that the Indians stole paw-paws from the gardens. He slapped them a few times with his open hand "unintentionally". He was not present at the scene but at a distance of 20 metres he saw the accused TANAKA cut off the beards of the two Indians. The accused MAYAMA denied all knowledge of the facts alleged by the prosecution.

4. In regard to the second charge it was alleged for the prosecution that on 1 August 46 MUNSHA SINGH purchased a sweet pumpkin from a native. His action had been observed and he was taken before the accused TANAKA and was informed that the Indian had stolen the pumpkin. The accused commenced to beat MUNSHA SINGH very severely without asking for any explanation. The accused TANAKA then tied MUNSHA SINGH to a tree where he remained for 24 hours without food. At the conclusion of this period the accused TANAKA cut the hair and beard of MUNSHA SINGH and forced a cigarette into his mouth.

5. The accused TANAKA gave evidence in his defence to the 2nd charge and denied all knowledge of the incident. He alleged that at the time he was absent from the area.

6. The Indians referred to in both charges were of the Sikh Religion and it is contrary to their religion to have their hair or beards removed or to handle tobacco.

* During the course of the beating BAGGA SINGH arrived at the scene. He also reported to the accused TANAKA who struck him a number of blows with a stick.

THIS FILM PREPARED BY



PHOTOGRAPHIC & COPYING SECTION
A·E·M·E

**TANAKA
AND**

OTHERS

R-161

FORM FOR ASSEMBLY AND PROCEEDINGS OF A MILITARY COURT

28th Day of June 1946.

WHEREAS it appears to me, the undersigned, an Officer authorised to convene a Military Court under the War Crimes Act 1945 that the person named in the annexed Schedule has committed the war crimes in the said Schedule mentioned, I HEREBY CONVEENE a Military Court to try the said person and to consist of the Officers hereunder named :

PRESIDENT

It Col C.H. SMITH ED att HQ 8 MD is appointed President

MEMBERS

Maj W.E. SINHA 8th Bn, The Kumaon Regt. } are appointed Members
Maj R.J. ARCHER att HQ 8 MD }
Maj J. WALKER att HQ 8 MD }

Major-General
Convening Officer
GOC EIGHTH MILITARY DISTRICT

SCHEDULE

Number, Rank, (a) Name & Unit of Accused	Offence Charged	Plea	Finding and if convicted Sentence (b)	How dealt with by Confirming Authority (c)
Sgt. Mjb. TANAKA Chuichi Cpl. TAKENOUCHI Yoshitaka YOSHITO Cpl. MAYAMA Mihachi All of 20 Special Sea Service Coy.	(1) <u>ILL TREATMENT OF PRISONERS OF WAR</u> In that they at Komoriyama on or about 12/13 May 1945 ill treated 9369 Naik BAGGA SINGH and 7455 Sepoy DAN SINGH of 3/16 Punjab Regt. Indian Prisoners of war.	NOT GUILTY NOT GUILTY NOT GUILTY	2 YEARS 14 MONTHS 12 MONTHS 6 MONTHS 10 MONTHS	Guilty Guilty Guilty Guilty Guilty
Sgt. Mjr. TANAKA Chuichi of 20 Special Sea Service Coy.	(2) <u>ILL TREATMENT OF A PRISONER OF WAR</u> In that he at Komoriyama on or about 1 August 1945 ill treated 9799 Sepoy MUNSHA SINGH of 5/11 Sikh Regiment, an Indian Prisoner of war.	NOT GUILTY	Guilty	Guilty

Major-General
Convening Officer
GOC EIGHTH MILITARY DISTRICT

Handwritten notes:
I find 20 names of the Court
found guilty on the first charge
as regards to ill treatment of war
prisoners. SINGH, DAN, A.M.C. 2750.
Cpl. MAYAMA, 1914 H. and
Munsha Singh / confirm the
finding and sentence.

RIE - 2

CERTIFICATE OF PROMULGATION

Promulgated in the case of AWC No 2762 Sgt Major this 6 day
of DECEMBER 1946. TANAKA Chuichi

(Sgd)
Name, Rank and Unit of Officer
effecting promulgation.

Promulgated in the case of AWC No 2756 Cpl TAKENOUCHI this 6 day
of DECEMBER 1946. Yoshito

(Sgd)
Name, Rank and Unit of Officer
effecting promulgation

Promulgated in the case of AWC No 2750 Cpl MAYAMA this 6 day
of DECEMBER 1946. Mihachi

R. L. Watts
SC "A" 8TH MILITARY DISTRICT
(Sgd)
Name, Rank and Unit of Officer
effecting promulgation

The records of the Proceedings of the Court will be attached to this form.

- (a) If the accused is not a member of the Naval, Military or Air Force of an enemy or ex-enemy Power, the name, occupation, and residence of the accused will be inserted.
- (b) Recommendation to mercy, if any, to be inserted in this column or on a separate sheet attached to the Proceedings, with the reason for the recommendation.
- (c) It is not necessary that the Confirming Officer should sign his name in this column, Initials are sufficient.
- (d) Must be signed by the same Officer who signs on the first page and all alterations in the first two columns of the Schedule to be initialed by him.

B. I CERTIFY THAT the above Court assembled on the *twelfth* day of *July* 1946 and duly tried the person named in the Schedule and that the plea, finding and sentence in the case of such person were as stated in the third and fourth columns of that Schedule and that the regulations for the trials of war criminals have been complied with.

I ALSO CERTIFY THAT

- 1. The Members of the Court
- ~~2. The Judge Advocate~~
- 3. The Witnesses
- 4. The Interpreter
- 5. The Shorthand Writer

were duly sworn

SIGNED this *twelfth* day of *July* 1946

W. H. H. H. H.
President of the Military Court

C. I have dealt with the finding and sentence in the manner stated in the last column of the Schedule, and subject to what I have stated I HEREBY CONFIRM the above finding and sentence

W. H. H. H. H.
8 Nov 46 Confirming Officer *W. H. H.*

PROMULGATED in the case of

(Date) (a) 1946

Signed

- (a) When sergeant cases are promulgated on the same day, the Officer effecting promulgation need only sign once.

Sheet No 1

THE WAR CRIMES ACT 1945

TRIAL OF :

Sgt Maj TANAKA Chuichi
Cpl TAKENOUCHI Yoshihito
Cpl MAYAMA Mihachi

All of 20 Special
Sea Service Coy.

DATE OF COURT :

12th July, 1946.

PROSECUTING OFFICER :

Capt J.F. GARVEY

AALC

DEFENDING OFFICER :

Lt Col OTA assisted by interpreter Jiro NISHIMURA is the
Japanese Defending Officer.

The Accused are brought before the Court.

The Members of the Court are duly sworn.

Maj N.K. SINHA, a Member of the Court, makes a Solemn Declaration.

Navy Lt HATTORI is sworn as the Interpreter.

The First Charge is read to the Three Accused.

All Three plead NOT GUILTY to the Charge.

The Second Charge is read to the Accused, Sgt Maj TANAKA Chuichi.

The Accused, Sgt Maj TANAKA Chuichi, pleads NOT GUILTY to the
Second Charge.

Sheet No 2

CASE FOR THE PROSECUTION

Prosecutor tenders statement of Sepoy DAN SINGH, which is admitted in evidence, read, marked Exhibit A, signed by the President, and annexed to the Proceedings.

Prosecutor tenders statement of Naik BAGGA SINGH, which is admitted in evidence, read, marked Exhibit B, signed by the President, and annexed to the Proceedings.

Prosecutor tenders statement of Sepoy MUNSHA SINGH and also of Jamadar PAKHAR SINGH. Both on the one document. The document is admitted in evidence, read, marked Exhibit C, signed by the President, and annexed to the Proceedings.

Prosecutor tenders interrogation of the accused, Sgt Maj TANAKA Chuichi, which is admitted in evidence, read, marked Exhibit D, signed by the President, and annexed to the Proceedings.

Prosecutor tenders interrogation of the accused, Cpl TAKEMOUCHI Yoshihito, which is admitted in evidence, read, marked Exhibit E, signed by the President, and annexed to the Proceedings.

Prosecutor tenders interrogation of the accused, Cpl MAYAMA Mihachi, which is admitted in evidence, read, marked Exhibit F, signed by the President, and annexed to the Proceedings. On this document being tendered, the Defending Officer objected on the grounds that it would not be of help to the Court in proving or disproving the Charge. The Prosecuting Officer stated that it was necessary in order to establish identity. The Court admits the document as shown above.

Prosecutor tenders a document containing statements by Subedar Maj HARNAM SINGH and L/Naik JAGIR SINGH, which is admitted in evidence, read, marked Exhibit G, signed by the President, and annexed to the Proceedings.

CONCLUDES THE CASE FOR THE PROSECUTION.

Sheet No 3.

CASE FOR THE DEFENCE

Sgt Maj TANAKA Chuichi being duly sworn is examined by the
Defending Officer through the interpreter Navy Lt HATTORI.

Guided by my conscience, I swear to tell the truth without
withholding any evidence whatsoever, and also I will not add
anything besides the truth.

* 田中忠一

I am Sgt Maj TANAKA Chuichi of the 20 Special Sea Service Coy.
Witness is shown a statement signed by him.

That is my signature.

The statement was read over to me in Japanese before I signed it
and it is true and correct.

The statement is tendered, admitted in evidence, read, marked
Exhibit H, signed by the President, and annexed to the Proceeding.

Q. What is your age?

A. 39.

Q. When did you join the Army?

A. 15th March 43.

Q. What education have you had?

A. Primary School. Eight years.

Q. What was your civil occupation before joining the Army?

A. A farmer.

Q. In May 1945 where were you?

A. At KOMORIYAMA.

Q. In May 1945 what were your duties at KOMORIYAMA?

A. I was in charge of 20 Indians and worked in the garden.

*when

Q. Did you have any responsibilities, ~~xxxx~~ you in charge of that
garden?

A. Yes.

Q. What were those responsibilities?

A. I was responsible for producing tapioca and sweet potatoes.

Q. Around this time was theft of provisions frequent?

A. Yes.

Q. Do you remember of any particular incident?

A. I remember that the Indians stole tapioca and ate them.

Q. Do you know an Indian BAGGA SINGH?

A. Yes.

Q. Do you know an Indian DAN SINGH?

A. Yes.

Q. Were both these Indians with you at KOMORIYAMA in May 1945?

A. Yes.

Q. Do you remember of any incident in which BAGGA SINGH and DAN
SINGH were caught stealing provisions?

A. Yes.

Q. Who caught them?

A. L/Cpl TAKENOUCHI.

Q. Do you know what L/Cpl TAKENOUCHI did to those two Indians?

A. TAKENOUCHI caught the Indians ~~actually~~ stealing and ~~interrogated~~
brought them and reported the matter.

Q. What report did TAKENOUCHI give you?

A. That he had found those two Indians stealing pawpaws when he
was patrolling the gardens.

Q. Did you do anything to those two Indians?

A. Yes.

Q. What did you do?

A. I interrogated them.

Sheet No 4

- Q. What did they say when you interrogated them?
 A. They said nothing.
 Q. Did you subsequently report this matter to your senior?
 A. Yes.
 Q. Who did you report it to?
 A. To the Platoon Leader 2nd Lt TAKEDA.
 Q. Do you know what 2nd Lt TAKEDA did to these two Indians?
 A. Yes.
 Q. What was it?
 A. He interrogated them.
 Q. Were you present when he interrogated them?
 A. Yes.
 Q. Was Cpl TAKENOUCHI present?
 A. No.
 Q. Do you know where he was then?
 A. He was working in the gardens.
 Q. At this time was Cpl MAYAMA present in the vicinity?
 A. No.
 Q. Do you know where he was?
 A. Yes.
 Q. Where?
 A. He was resting in an air raid shelter.
 Q. Was he sick?
 Question withdrawn.
 Q. What was he doing in the air raid shelter?
 A. He was resting.
 Q. Why?
 A. He was sick.
 Q. Did 2nd Lt TAKEDA punish these two Indians?
 A. Yes.
 Q. What kind of punishment was administered?
 A. He cut the beards of the two Indians off.
 Q. Who did the actual cutting?
 A. I did it.
 Q. Did you do it on your own initiative?
 A. I was ordered to do so.
 Q. Did the Indians object to having their beards cut?
 A. They kept silent.
 Q. Did they struggle while you cut their beards?
 A. No.
 Q. On or about the 1st of August 45, where were you?
 A. I was at KOMORIYAMA.
 Q. Were you together with the rest of the Platoon there?
 Question withdrawn.
 Q. What were you doing there at that time?
 A. I was still in charge of the gardens.
 Q. Were you at KOMORIYAMA throughout the month of August?
 A. Sometimes I was not there.
 Q. Where were you on those occasions?
 A. I sometimes went out, left KOMORIYAMA to go to the HQs for liaison duties.
 Q. Were you at KOMORIYAMA camp on or about the 1st of August?
 A. I left KOMORIYAMA for the Coy HQs on the 1st of August.
 Q. When did you again return to KOMORIYAMA?
 A. On the 2nd.
 Q. What time of the day did you return?
 A. In the evening.

CROSS EXAMINED

- Q. You say in your statement that on the 13th of May 1945 you cut the hair and beards of two Indians, that is so, isn't it?
 A. Yes.

- Q. Why did you say in your interrogation on the 1st of July that you had never seen Japanese cutting Indian's beards?
- A. I thought it meant other Japanese.
- Q. When you interrogated these two Indians, do you mean to say they said nothing at all?
- A. Yes.
- Q. Did you then intend to report the matter to the Platoon Comdr, TAKEDA?
- A. I interrogated them because I wanted to know the truth because I was ~~disgusted~~. RESPONSIBLE
- Q. You say that TAKEDA happened to come along, do you mean by that that you would have reported to TAKEDA in any case or only just because he happened to come along?
- A. I would have reported the matter to TAKEDA only when I thought it too big for me. I always wanted as far as possible to keep the matter in my own house and let them go.
- Q. Do you mean by that that you didn't like punishing Indians?
- A. Yes. But of course if it was really an offence I would punish him.
- Q. You say that Cpl TAKENOUCHI was not present when the Indians were ~~xxx~~ interrogated by TAKEDA?
- A. He was not at the scene of the interrogation.
- Q. But was he present when you interrogated the Indians alone?
- A. No, he wasn't.
- Q. Neither your interrogation nor TAKEDA's was very successful because the Indians did not say anything?
- A. When Lt TAKEDA interrogated them they confessed that they had stolen.
- Q. Why do you think they confessed to TAKEDA and didn't say anything to you?
- A. I don't know.
- Q. Did they confess to TAKEDA immediately or only after some time?
- A. They confessed while TAKEDA interrogated after some time.
- Q. How long were they interrogated?
- A. I think it was about ten minutes.
- Q. Did TAKEDA threaten or beat the Indians while he interrogated them?
- A. No.
- Q. Now TAKENOUCHI was the man who caught the Indians and knew all about it, wasn't he?
- A. Yes.
- Q. Didn't it occur to you and TAKEDA that it would be a good plan to have TAKENOUCHI present when the Indians were being interrogated?
- A. I didn't think of it at that time.
- Q. Then TAKENOUCHI never saw TAKEDA about the incident at all, did he?
- A. He saw TAKEDA. He was working in a nearby garden but was not at the scene of interrogation.
- Q. So that when TAKEDA was doing the interrogation the only information he had was what you had told him?
- A. Yes.
- Q. How far away from where the Indians' hair was cut was this air raid shelter that MAYAMA was resting in?
- A. The air raid shelter was built about 20 or 30 metres lower than this place.
- Q. How long had MAYAMA been ill at that time?
- A. I think it was the fourth or fifth day.
- Q. When did he ~~get~~ get better and get about again?
- A. I think it was the 17th or 18th.

- Q. How do you remember the exact period over which MAYAMA was ill?
- A. I remember because this incident occurred that ~~day~~ time.
- Q. But you say that MAYAMA had nothing at all to do with the incident so how would that assist your memory?
- A. I remember because I have cut the Indians' hair only once, and I remember that TAKENOUCHI was working in a nearby garden and only myself was present, MAYAMA was not present.
- Q. So what I take it to mean that if MAYAMA had not been ~~there~~ ^{ill} he would have been present?
- A. No, he wouldn't.
- Q. What were MAYAMA's ordinary duties when he was not sick?
- A. Working with the Indians.
- Q. You and he would work together, wouldn't you?
- A. Yes.
- Q. Were there any sick quarters in the camp at KOMORIYAMA?
- A. Yes.
- Q. Well why wasn't MAYAMA in the sick quarters?
- A. The sick ward was about one kilometre from our quarters and we couldn't take him there.
- Q. Do you mean to say that you weren't able to send sick people one kilometre?
- A. Yes.
- Q. Why not?
- A. He had fever.
- Q. Was he able to get any medical attention where he was?
- A. Yes.
- Q. Why wasn't he in his own quarters, then?
- A. Because it was dangerous, as the quarters were on vacant ground and exposed to air raids.
- Q. Do you know that the Indians consider it contrary to their religion to have their hair or beards cut?
- A. I did not know that but I knew it was their custom to treasure.
- Q. Any way you did know that cutting Indians hair or beard was very painful to them?
- A. Yes.
- Q. While you were cutting the Indians hair, didn't they protest in any way?
- A. Not at the time.
- Q. And they didn't even struggle, or offer any resistance?
- A. No.
- Q. Isn't the reason why they didn't struggle was because they were tied to a tree?
- A. No.
- Q. Weren't they bound in any way?
- A. No.
- Q. You were at KOMORIYAMA on the 1st of August 45, weren't you?
- A. I was there in the morning.
- Q. Up to what time in the morning?
- A. To breakfast time. About five o'clock.
- Q. What time did you return to KOMORIYAMA?
- A. I think it was five o'clock in the afternoon of the 2nd.
- Q. How often did you go from KOMORIYAMA to the HQs?
- A. I remember that I went to HQs twice or three times a month.
- Q. But you clearly remember that you went on the 1st?
- A. Yes.
- Q. Is ~~there~~ there any particular reason why you should remember that date?
- A. Yes.
- Q. What?
- A. At that time Lt TAKEDA was transferred and I was ordered to go to the HQs of that Coy and I remember it.
- Q. What was your rank on the 1st August 45?
- A. Sgt Maj.

- Q. And you say TAKEDA was not there at that time?
 A. I think he was there.
 Q. Was there a L/Cpl YAMAGUCHI at KOMORIYAMA in August 45?
 A. Yes.
 Q. And if anything happened he would report to you as Sgt Maj, wouldn't he?
 A. I don't think so.
 Q. Well who would he ordinarily report to?
 A. I think to the Platoon Leader.
 Q. Is it the custom in the Japanese Army for a Lance Corporal to report matters direct to the officer?
 A. I think the principle is that they should go to the Section NCO first, but in many cases it would be more reliable to report the matter direct to the officer.
 Q. In August 1945 did you ever hear of any Indians in your Platoon having their hair and beards cut as a punishment?
 A. Yes. Before that.
 Q. About how much earlier?
 A. I think it was in the middle or later part of July.
 Q. Did you see that incident?
 A. No.
 Q. If on this 1st of August whilst you were away an incident of cutting Indians hair and beards at KOMORIYAMA had occurred, you would have heard of it when you came back?
 A. Yes.
 Q. In August at KOMORIYAMA did you have in your Pltn Jemadar PAKHAR SINGH?
 A. Yes.
 Q. Did you also have an Indian Prisoner of War, Sepoy MUNSHA SINGH?
 A. I do not remember.

RE EXAMINED

- Q. When you were cutting the beards of the Indians were they tied to a tree?
 A. No.
 Q. In what position were they in when their beards were cut?
 A. They were standing.

QUESTIONS BY THE COURT

- Q. How far were the Coy Hqs from the gardens where you worked in May 45?
 A. 10 to 12 Kilometres.
 Q. How frequently did you visit the Hqs on liaison duties?
 A. I think it was two or three times in a month.
 Q. What day of the week was it when you cut the Indian's beards?
 A. I don't remember.
 Q. What position were the Indians when you cut their beards?
 A. They were standing to attention.

The Court adjourns at 1155 hrs.

Sheet No 8

The Court re-assembles at 1345 hrs, the same President and Members being present.

I swear that I have told you the truth without adding anything.

田中忠一

Evidence is read over to the witness who does not desire to correct same.

Cpl TAKENOUCHI Yoshihito being duly sworn is examined by the Defending Officer through the interpreter Navy Lt HATTORI.

Guided by my conscience, I swear to tell the truth without withholding any evidence whatsoever, and also I will not add anything besides the truth.

竹之内吉人

I am Cpl TAKENOUCHI Yoshihito of the 20 Special Water Duty Coy. Witness is shown a statement signed by him. That is my signature.

The statement has been read over to me in Japanese before I signed it and it is true and correct.

The statement is tendered, admitted in evidence, read, marked Exhibit J, signed by the President, and annexed to the Proceedings.

Q. What is your age?

A. 28.

Q. What education did you receive?

A. Six years in a Primary School.

Q. When did you join the Army?

A. 1st March 1940.

Q. What was your civil occupation before joining the Army?

A. A farmer.

Q. Who was your immediate superior while you were at KOMORIYAMA?

A. Sgt Maj TANAKA.

Q. During what period was he your direct superior?

A. From February to August 45.

Q. In your statement you say that you took these two Indians whom you caught stealing paw paws to Sgt Maj TANAKA, what did you do after that?

A. Sgt Maj TANAKA told me to go to the tapioca gardens and do some weeding.

Q. Did you see Sgt Maj TANAKA cutting the Indians beards?

A. Yes.

Q. Where were you at that time?

A. I was working in the tapioca garden about 15 or 20 metres from the scene.

Q. In what position were the Indians when their beards were cut?

A. They were standing.

Q. Did the Indians struggle while they had their beards cut?

A. So far as I know they did not.

- Q. Were you working together with Sgt Maj TANAKA every day around the time?
- A. Yes.
- Q. When you saw Sgt Maj TANAKA cutting the Indians beards was Cpl MAYAMA in that vicinity?
- A. No.
- Q. Do you know where he was?
- A. He was resting in a cave because he was sick.

CROSS EXAMINED

- Q. While the Indians were having their beards cut, how far away were you?
- A. About 15 or 20 metres away. 2nd
- Q. When you were interrogated on the 2nd of July you were referred to this incident; ~~and~~ you were asked if there were any other Japanese present, and you replied only yourself, ~~and~~ did you mean by that that ~~there~~ were there or 15 metres away?
- A. I meant that I was 15 metres away.
- Q. How far away from this incident was MAYAMA at the time?
- A. About 30 metres I think.
- Q. Did you know at this time that the Indians did not like having their beards cut because of their religion?
- A. No.
- Q. Did you know then that it was very painful to the Indians to have their beards cut?
- A. I thought that it would be very painful to them.
- Q. When you handed the Indians over to TANAKA did they say anything to TANAKA?
- A. No.
- Q. Are you sure that the Indians did not struggle or protest when their beards were being cut?
- A. Yes.
- Q. Wasn't the reason why they didn't struggle was because one was tied to a tree and the other had his hands tied?
- A. No, they were not tied to a tree.
- Q. In your Platoon did the cutting of Indians hair occur frequently?
- A. So far as I know it only occurred once.
- Q. How many Japanese were in the camp at this time?
- A. Three.
- Q. Who were they?
- A. Sgt Maj TANAKA, myself, and MAYAMA.
- Q. So that if TANAKA wanted any assistance you would be the only man he could call upon then seeing that MAYAMA was ill?
- A. Yes.
- Q. How long had MAYAMA been ill before this incident?
- A. 2 or 3 days before.
- Q. When did he get better and resume duty?
- A. ~~xxxxxx August 16th or 17th~~
I think it was 16 or 17 of May 45.
- Q. Can you give any reason as to why you can remember the period over which MAYAMA was ill?
- A. The only other friend he had in the camp.
- Q. How was it MAYAMA was not in the sick quarters?
- A. He was shifted to the air raid shelter because air raids were frequent.

Sheet No 10.

- Q. What was wrong with him?
 A. Fever.
 Q. And he was the sick friend you were saving the pawpaws for, wasn't he?
 A. Yes.
 Q.

NO RE EXAMINATION

QUESTIONS BY THE COURT

- Q. How often did Sgt Maj TANAKA go to the Coy Hqs?
 A. I don't remember very clearly, but I think it was 2 or 3 times a month.
 Q. How was the position of the Indian when Sgt Maj TANAKA was cutting the beard?
 A. They were standing to attention. (Demonstrates to the Court)

I swear that I have told you the truth without adding anything.

竹之内吉人

Evidence is read over to the witness who does not desire to correct same.

Cpl MAYAMA Mihachi being duly sworn is examined by the Defending Officer through the interpreter Navy Lt HATTORI.

Guided by my conscience, I swear to tell the truth without withholding any evidence whatsoever, and also I will not add anything besides the truth.

ア 1 2 八

I am Cpl MAYAMA Mihachi of the 20 Special Water Duty Coy.

Witness is shown a statement signed by him.

That is my signature.

The statement was read over to me in Japanese before I signed it and it is true and correct.

The statement is tendered, admitted in evidence, read, marked Exhibit K, signed by the President, and annexed to the Proceedings.

Q. What is your present rank?

A. Corporal.

Q. What is your age?

A. 30.

Q. When did you join the Army?

A. October 39.

Q. What education did you receive?

A. Three years in a Primary School.

Q. What was your occupation in civil life?

A. A farmer.

Q. Where were you in May 1945?

A. At KOMORIYAMA.

Q. What were you doing there at that time?

A. Garden work.

Q. Do you know an Indian DAN SINGH?

A. Yes.

Q. Do you know an Indian by the name of BAGGA SINGH?

A. Yes.

Q. Do you know of an incident that occurred on the 12th or 13th of May 45?

A. I have heard of it.

Q. What have you heard?

A. I have heard that Indians were caught stealing and had their beards cut off.

Q. Did you hear who cut the beards?

A. I have heard that Sgt Maj TANAKA did it.

Q. What were you doing on the 12th and 13th of May 45?

A. I think I was in bed sick with malaria.

Q. Where were you sleeping when sick?

A. In an air raid shelter.

CROSS EXAMINED

Q. You were at KOMORIYAMA for the whole of May 45, weren't you?

A. Yes.

Q. Apart from the officer there were only 3 Japanese there at that time?

A. I don't remember very well but I think there were 2 or 3.

Sheet No 12.

- Q. Did you know at that time that Indians do not like having their hair cut?
- A. I don't remember.
- Q. Do you mean that you don't know whether they did not like it or they had no objection?
- A. I heard that they disliked having their hair cut.
- Q. Do you know why they disliked it?
- A. I think it was because of their religion.
- Q. When did you hear of this incident, soon or long after it happened or when?
- A. I was in bed with fever at that time and I think it was two or three days later.
- Q. Who told you about it?
- A. I heard it while we were taking meals.
- Q. Though you used to eat with the rest of the Japanese at this time, did you?
- A. No.
- Q. What do you mean when you say that 2 or 3 days later you heard at meals?
- A. I did not leave the air raid shelter except for taking meals and going to the latrine.
- Q. So you were quite well enough to get up and walk about at that time?
- A. At that time I could go to where the meals were taken.
- Q. How far away were the meals taken from the air raid shelter?
- A. I don't remember very clearly, but I think it was about ten metres.
- Q. Wasn't TAKENOUCHI a particular friend of yours?
- A. Yes, he was a friend.
- Q. And he would come and see you every day while you were ill?
- A. At that time work was very busy and he did not come daily but he came ~~times~~ pretty frequently.
- Q. In August 1945 you were at KOMORIYAMA weren't you?
- A. Yes.
- Q. About the beginning of August did you hear of an Indian having his hair and beard cut then?
- A. Yes, I heard of it.
- Q. Was that man's name MUNSHA SINGH?
- A. I know an Indian had his hair cut off but I do not remember the name.
- Q. At that time, August, how many Japanese were in your Platoon at KOMORIYAMA?
- A. I don't remember very clearly but I think there was about 20.
- Q. Why did the numbers go from 3 or 4 to 20 at that time?
- A. What I meant by 2 or 3 was that there were 2 or 3 in my Section and about 20 in the whole Platoon.
- Q. Did you hear who cut the Indian's hair on this occasion in August?
- A. No, I do not.
- Q. Do you know if Sgt Maj TANAKA was at KOMORIYAMA in August 45?
- A. I know that he was there.
- Q. Used he ever go from KOMORIYAMA to the HQs of the Coy?
- A. Yes, I don't remember very clearly but I think he went there 2 or 3 times in a month.

NO RE EXAMINATION

NO QUESTIONS BY THE COURT.

I swear that I have told you the truth without adding anything.

Evidence is read over to the witness who does not desire to correct same.

CASE FOR THE DEFENCE.

Sheet No 13.

At this stage the Defending Officer informs the Court that the correct name of the accused Cpl TAKENOUCHI Yoshihito is Cpl TAKENOUCHI Yoshito.

The President amends the Charge Sheet accordingly.

THE PROSECUTING OFFICER MAKES AN ADDRESS WHICH HE DOES NOT DESIRE TO BE RECORDED.

THE DEFENDING OFFICER MAKES AN ADDRESS WHICH HE DOES NOT DESIRE TO BE RECORDED.

The Court is closed at 1604 hrs to consider Finding.

The Court re-opens at 1612 hrs, and the President announces the following Finding :

Sgt Maj TANAKA Chuichi GUILTY on the First and Second Charges.

Cpl TAKENOUCHI Yoshito GUILTY of the Charge.

Cpl MAYAMA Minachi GUILTY of the Charge.

The Defending Officer makes an address in Mitigation.

The Prosecuting Officer informs the Court that he has no record of any previous convictions by ~~with a record~~ a War Crimes Court against any of the Accused.

The Court is closed at 1614 hrs for consideration of Sentences.

The Court is re-opened at 1619 hrs, and the President announces the following Sentences :

Sgt Maj TANAKA Chuichi To be Imprisoned for Two Years.

Cpl TAKENOUCHI Yoshito To be Imprisoned for Twelve Months.

Cpl MAYAMA Minachi To be Imprisoned for Six Months.

The President further announces that the Finding and Sentences are subject to confirmation by the Confirming Authorities.

Signed at RABAUl this 12th day of July, 1946.

C. W. Smith Lt Col.,
President.

Exhibit No. (Contd).

Page -4-

Witness No. 7 - No. 7455 Sepoy DAN SINGH, 3/16 Punjab Regiment, No. 20 Party Indian Ps of War having been duly sworn states -

In May 1945 I and Naik Bagga Singh were detailed as sentries to look after the party tapioca garden. The garden was very large, one and was more a jungle than a garden as all the trees were left standing and tapioca was planted therein. On the night of 12 and 13 May 45, it was raining after the sunset and the clouds were heavy on the sky. We continued our occasional rounds, but it was very dark. Next morning when we went to check the garden, we found that about ten tapioca plants were uprooted and tapioca being too small, was not taken. Naik Bagga Singh ordered me to report the matter to Hav. Thanaka, who was in the other garden. When I reported the matter, Havildar Thanaka was very much enraged and said "Buggers, what are you sentries doing there. You only eat and sleep." After this he began to beat me severely with a thick rod, which it was broken. He got another and again started beating. After 15 minutes he and I/Naik. THAKA-MO-UCHI bound me to a tree and Thake-Mo-Uchi brought a pair of scissors and began to cut my beard. I cried loudly "For God's sake do not cut my hair. But every time I uttered a word I received severe blows from I/Naik. M., who was standing by.

The above statement has been read over to me and is correct.

Dan Singh

(Signatures of witness).

Witness No. 6 9369 Naik BAGGA SINGH, 5-KO Punjab Regiment, No. 20
Party having been duly sworn states -

I and sepoy DAN SINGH, were detailed as sentries to look after the party tapioca garden at Kumaryama. The garden was about one and a half mile long away from the camp, therefore we lived day and night in a hut in the garden. There were gardens of other Japanese and Thais adjacent to ours. The garden was about 600 yds in length and about 400 yards wide at some places, with a nullah in the centre of it. Moreover it was more a jungle than a garden. Because all the trees were left standing and tapioca was planted in it. On the night of 12 and 13 May 45, there were thick clouds and rain began just after the sunset. In spite of this we kept our occasional rounds in the farm, but every time we went out, it was very difficult to find the hut again. At day break both of us went to have a check of the tapioca to see that it was not stolen away, but we saw that at the farther end of the garden few plants were uprooted and tapioca being too small was not taken away. I sent sepoy Dan Singh to report the matter to Japanese Nipildar THANAKA, who was living in the other garden at about 300 yards away. After half an hour I, too, was sent for by Thanaka. When I reached there, Thanaka was already enraged and had a strong rod in his hand. He called me to "Attention" and gave me countless blows with that rod on whole of my body. Then L-Naik. THAKE-NO-UCHI started beating me. I became senseless after a few minutes. I was made to stand by sticks on my hips by Thake-no-Uchi. Then my hands were bound behind and Thanaka caught my arms and Thake-no-Uchi began to cut my beard with a pair of scissors. I began to wave my head to save it, but another very severe beating compelled me to stand still in a senseless condition and my beard was cut by L-Naik Thake-No-Uchi.

above statement

The statement has been read over to me and is correct.

NK BAGGA SINGH

Handwritten signature
127/44

WIT-12

Triphali C

On the way two wooden planks were lying on the road. The above named Japanese Sepoy ordered me to lift up one plank. I carried one along with my bedding. My load was very heavy. When I walked about 3 miles I got tired and could not walk. I then asked Sepoy SHIMAJI to order some other man to carry the plank. He at once started to beat me with a stick in his hand. I received severe injuries. Since then I am in hospital and my health is still very bad.

Read over to the witness who acknowledges it to be correct.

P. 140

Signature of Witness

I, *Hav. Clerk Partap Singh*, do hereby certify that this statement was made by *16327 Sepoy Piara Singh* and after same had been written down in English was read back to witness in his own language before he signed it and the translation is a correct translation of the witnesses evidence.

Signature of Interpreter. *Partap Singh*

Jemadar Rang Ali of 5/11 Sikh Regt having been recalled states:-

On 3/1/45 our party moved from a Piji Midai to NAGA KATA camp. We were marching under Lt SHIMAJI and Sepoy SHIMAJI. After a few minutes walk Sepoy SHIMAJI ordered Sepoy Piara Singh to lift up a plank which was lying on the road. He carried the plank along with his bedding. When we marched about three miles Sepoy Piara Singh (his load being very heavy) got tired and asked Sepoy SHIMAJI to order some other man to carry the plank. SHIMAJI at once started to beat him with the stick in his hand. He received many injuries and was later sent to hospital. He is still in hospital since then.

Read over to the witness who acknowledges it to be correct.

Rang Ali
Signature of Witness

I, *Hav. Clerk Partap Singh*, do hereby certify that this statement was made by *Jem. Rang Ali* and after same had been written down in English was read back to witness in his own language before he signed it and the translation is a correct translation of the witnesses evidence.

Signature of Interpreter. *Partap Singh*

Chakrabarti
17/4/45

9700 Sepoy Mansha Singh of 5/11 Sikh Regt having been duly warned to speak the truth states:-

On 1-2-45 a PAVANA came in our camp with a KANUWA (sweet pumpkin) in his hand. I purchased from him the PAVANA and went to cook that in our kitchen. Jap 1/2nd YAMA SUGHI came there and said to me "You have stolen this PAVANA from our garden" I told him that I purchased that from a PAVANA. He called Jemadar Pathar Singh (senior Indian officer in the camp) and took us to Jap Bay TONYATA and told him "This Sepoy has stolen a PAVANA from the garden". Jap TONYATA started to beat me without hearing a word from me. After severely beating me he tied me up to a tree nearby and sent back Jemadar Pathar Singh to his hut. I remained tied with the tree for twenty four hours and was not given any food. On 2/2/45 evening

The Plaintiff *[Signature]*

Palhar Singh. Hav THANAKA said to me "Your hair and beard will be cut. I requested him that he could give me any other punishment but should not cut my hair and beard as it was my Religion insult. Hav THANAKA cut my hair and beard forcibly put a cigarette in my mouth. He then untied me and allowed me with Jemadar Palhar Singh to go back to our huts.

Read over to the witness who acknowledged it to be correct.

Munsha Singh
Signature of Witness

I, Has Chuk Partap Singh do hereby certify that this statement was made by no. 9799 Sepoy Munsha Singh and after same had been written down in English was read back to witness in his own language before he signed it and the translation is a correct translation of the witnesses evidence.

Signature of Interpreter. Partap Singh Huv.

Jemadar Palhar Singh having been recalled states:-

On 1-8-45 evening L/ E YAMA SINGH CALLED me in our kitchen and said "This Sepoy (Sepoy Munsha Singh) is cooking a KASHUNA which he has stolen from the garden." He then sent with us to Hav THANAKA and told him the matter. Hav THANAKA, after severely beating, tied the Sepoy to a tree nearby. I returned to my hut. On 2-8-45 evening Hav THANAKA sent for me to the place where Sepoy Munsha Singh was still tied up. He cut Sepoy Munsha Singh's hair and beard in my presence and put a cigarette in his mouth forcibly. After this Munsha Singh was untied and sent back along with me to our huts.

Read over to witness who acknowledges it to be correct.

Palhar Singh 5071
Signature of Witness *[Signature]*

I, Has Chuk Partap Singh do hereby certify that this statement was made by Jemadar Palhar Singh and after same had been written down in English was read back to witness in his own language before he signed it and the translation is a correct translation of the witnesses evidence.

Signature of Interpreter. Partap Singh Huv.

Interrogation of Sgt Major Tanaka
Chuichi of 20 special sea duty Coy
by Capt H.G. Wybrow at Rabaul
on 1st July 1946.

I am going to ask you certain
questions. You need not answer
them unless you so desire and if
you do your answers will be
taken down in writing and may
later be given in evidence.

Q. Do you remember being told
by your officers shortly after
you arrived here that it was
against the Indians' religion to
cut their hair.

A. Yes I remember that Sgt Jones
heard it was against their custom, not their religion.

Q. Was Cpl Munsahi in your
company.

A. Yes.

Q. Were all the NCOs told this
about the Indians' hair.

A. I heard this from an indi-
vidual.

Q. Was this well known among
the Japanese of your company.

A. I could not say.

Q. Where were you in May 1945

A. At Honiara

Q. Do you remember in
middle of May 1945 some Indians
leaving up rooted coconuts in
the garden overnight.

A. There was no such occasion.

田中忠一

Q. Have you ever seen a Japanese cutting an Indians beard.

A. no.

Q. Was there any other Sgt Tanaka in your Coy.

A. I was the only NCO with the name Tanaka. There was a Private named Tanaka. I was a Sgt major in May 1945. I was promoted from Sgt on 1 March 1945.

Q. Were there two Japanese S/Cpls named Takenouchi and Mayama in your company in May 1945.

A. I am not sure what their ranks were but there were Japanese of that name there.

The Japanese officer told me it was against the Indians customs to cut their hair and beard. This was told to us after July 1943. I do not remember if all in the company were told.

田中忠一

A. J. Michener, interpreter of Jap legal section do hereby certify that the above statement was made by Sgt Maj. Tanaka Chuichi in Japanese and after same was written down was read back to him in his own language before he signed it and the translation is true and correct.

Michener

for the Jap legal section
10/11/45

EX E
Interrogation of Cpl Takenouchi
Yoshihito of 20 Special Sea Duty Coy
by Capt Hq. Rylands MRC at Rabaul
on 2 July 46.

I am about to ask you certain
questions. You need not answer
them unless you wish but if you do
your answers will be taken down in
writing and may later be used in
evidence.

Q. Where were you in May 1945?

A. At Honiara.

Q. Were you working on Tapioca
gardens there?

A. Yes Tapioca and sweet potatoes.

Q. What was your rank in May
1945.

A. Lt Cpl.

Q. Were Sgt Mayama and Sgt
Tanaka working near there?

A. Yes we were working together.

Q. Were you the only person called
Takenouchi working there
then?

A. Yes I was the only one.

Q. Do you remember punishing the
dons about May 45 for not bringing
in Tapioca

A. I do not remember.

Q. Do you remember punishing
two Indian sentries who allowed
somebody to pull up plants overnight?

A. Yes I remember.

KKZ H Q. Did Sgt ^{Major} Tanaka order you to
tell the Indians to a tale.

A. No. ^{Unlikely} ^{Revised} ^{12.7.46} KKZ 内吉人

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灯之内音人

Japanese reported to the Japanese
that the American was caught stealing
transmission while on duty on a motor.
Q. Were there any other Japanese
present?

A. Only myself.

Q. Did you take any part in it?

A. No.

Q. Did you ever hear any Japanese
a part from the time you mentioned?

A. Yes.

Q. In how many occasions?

A. About two.

Q. What were the facts concerning
the first one?

A. I think it was around the middle
of October or when I was a party of
about 10 or 15 Japanese returning

from a party of about 10 or 15 Japanese returning
from a party of about 10 or 15 Japanese returning
from a party of about 10 or 15 Japanese returning

raid, the Japanese were very steady
and I thinking of that party that
the American in front of them has

stepped and stepped him.

Q. What were the facts of the second
occasion?

A. This was around March 1942 when
I was duty private, an American

whose name I have forgotten was
going to collect gear during an air
raid. I told him to take shelter and

told him to leave the airplane
and he did not come in and
I reached him a second time.

I called at him to come into the
shelter but he said "I am going
well here." I thought I went to

him and stepped him
K-2 (A) 人

Shirley Lee
11-7-51

K-2 (A) 人

Q. Did the Indian struggle while his
head was being cut?

A. No he was not struggling.

大竹之内吉人

I. J. Wiskimura, int of Japanese Legal Section do hereby
attify that the above statement was made by Sgt. Takeouchi
Yoshito in Japanese and after same was written down in
English was sent back to him in Japanese ~~and he~~ ~~signed~~ it.
Before he signed it and the translation is true and correct.

I. Wiskimura

Charles H. H. H.
President
12-7-46

F

問 小 Interrogation of W/Cpl MAYAMA Mihachi of 20 Special Water Service Coy by Capt R.L. WATTS at REBAUL 2 July 1946.

Q. I am going to ask you some questions. You are not obliged to answer them, but whatever you say will be taken down in writing and may be used in evidence. Do you understand?

A. Yes.

問 小 Q. Are you W/Cpl MAYAMA Mihachi?

A. Yes.

Q. What was your rank and unit during 1944 and if you were promoted when did you get it?

A. Superior Private, 20 Special Water Service Coy. I was not promoted during 1944.

Q. Was there at that time a Japanese of the same or similar name to yourself in the 20 Special Water Service Coy?

A. There was none of the same name.

Q. What is your present rank and Unit?

A. Cpl, 20 Special Water Service Coy.

Q. Where were you during the months of September, October, and November, 1944?

A. I was stationed about two and a half miles east of the KHEAVAT Experiment Farm.

Q. What Pl were you with in the 20 Special Water Service Coy during Sept, Oct, and Nov 1944?

A. I belonged to 2 Pl.

Q. Who was your Pl Comd?

A. Lt OGAWA, I do not know his second.

Q. Where is he now?

A. He is now in the War Criminals Compound REBAUL.

Q. What work were you doing during the months of Sept, Oct, and Nov 1944?

A. I was engaged in the cutting of timber for the sawmill and sometimes repairing roads.

Q. Who was in charge of the saw mill?

A. W.O. SASADA, I do not know his second name.

Q. Where is he now?

A. I do not know.

Q. Were Indians working with you?

A. I was commanding thirty Indians.

Q. What work were they engaged in?

A. Cutting timber for the sawmill and sawmill work, road repair work and kitchen work.

Q. As the Commander of the thirty Indians does this mean that you gave orders to them for the carrying out of sawmill work?

A. I was only responsible for the administration, of the working parties, and W.O. SASADA called for working parties I would send along and W.O. SASADA would give them their orders for the day's work.

Robert L. Watts
13-7-46

Q. Was it your duty to call the Indians in for roll call?

A. Every morning I was in charge of the roll call of the Indians who were under my command.

Q. Do you know a Japanese named L/Cpl MATSUMOTO?

A. I do not know L/Cpl MATSUMOTO, but I know a Sgt Maj MATSUMOTO.

Q. Was he with you at the sawmill?

A. He was at the sawmill with me, he replaced me as Commander of the Indian party. I think it was in Sept 1944.

Q. Where is he now?

A. I think he is in 3 Group Camp NABAIL at present.

Q. Do you know an Indian Jemadar KARTAR SINGH?

A. I cannot recall that name.

Q. Do you know an Indian Sepoy SHAG SINGH?

A. I do not remember.

Q. Do you know an Indian Havildar KARTAR SINGH?

A. I remember Sgt Maj KARTAR SINGH.

Q. Was Sgt Maj KARTAR SINGH in your Indian Working Party?

A. Yes he was.

Q. Who was the Indian officer in charge of the Indian Working Party?

A. I think he was Sub Lt KARTANA SINGH.

Q. Do you remember seeing Indians taking a hot water bath?

A. No I do not remember.

Q. Was it a practice for Japanese to have hot water baths and Indians cold water baths?

A. Normally it was the practice but Indians were permitted to boil their own water and take a hot water bath.

Q. Did you ever stop Indians from taking their hot water bath?

A. No.

Q. Did the Indians suffer very much from malaria?

A. Some Indians were suffering from malaria and were allowed to do light duties.

Q. What do you mean by light duties?

A. When they were suffering from malaria they were allowed to rest in their huts.

Q. Was there a hospital or RAP at the sawmill?

A. There was not.

Q. Did you attend the daily sick parades of the Indians?

A. Every morning during the roll call I inspected the sick parade.

Q. Did you decide whether an Indian suffering from malaria worked or not?

A. I did.

Q. Did you beat Indians who were under your command at the sawmill?

A. Yes I did.

Q. Do you know the name of any Indian whom you beat?

A. No I cannot recall.

Q. How many Indians did you beat?

A. Only one man.

Charles H. H. H.
H. H. H.
2/1/44

Page 3

Q. What did you beat him for?

A. One evening about 7.30 I got a report from an Indian that there were no patients or Indians could work next day, about ten o'clock that night the same Indian came to me and reported that one Indian was missing and I asked the reason to which he answered "The missing Indian avoided work to collect vegetables during the daytime, without calling the roll the former report was done. I was angry with false report and to rebuke him I slapped him three times.

Q. What did you hit him with?

A. The open hand.

Q. Do you remember saying on a sick parade "The Indians do not like to work for us so I will not allow them to rest."?

A. No, I do not remember.

Q. Did you ever strike Sgt Maj KARTAR SINGH?

A. No.

[3] 1 2 3

I, Navy Lt OGUMAKI Yoshio of the Japanese Legal Section, do hereby certify that the above statement was made by L/Cpl MAYAMA Mihachi in Japanese and after it had been written down in English was read back to him in his own language before he signed it, and the translation is a correct translation of the witness's evidence.

Charles H. Loh
12.7.46

Y. Okuwara

CASE NO. _____

PROCEEDINGS OF COURT OF ENQUIRY HELD ON 18 SEPT 45 TO ENQUIRE INTO THE CIRCUMSTANCES UNDER WHICH JAPANESE OF NO. 20 PARTY INDIAN PRISONERS OF WAR ARE ACCUSED OF RELIGIOUS INTERFERENCE WITH THE INDIAN PS. OF WAR, i.e., CUTTING THE HAIR OF SIKHS, of OWNED. 20 PARTY. COURT OF ENQUIRY HELD IN ACCORDANCE WITH H.Q. INDIAN TROOPS LETTER NO. NIL DATED 16 SEPTEMBER 1945 AT NISHODAI CAMP NEW BRITAIN.

WITNESS Subedar Major HARNAM SINGH 316 Punjab Regiment, No. 20 Party
duly sworn states _____

I belong to SIKH religion, for whom it is essential to keep hair as they grow naturally and it is the greatest insult to keep remove hair from the body of Sikh. Sikhs prefer death to removal of hair from their body. We were handed over to this Japanese Party (No. 20 Party Indian Ps. of War) with Lieut. KUBO, as Party Commander on the eve of departure from Singapore to New Britain. Since then all the Japanese were very inquisitive and asked why we were keeping hair. always tried to explain to them that these were sacred to us. arrival at KOKOPO, I being the senior SIKH officer felt it my responsibility to make it clear to the Japanese that HAIR was our sacred symbol and it should not be interfered with. I took Sepoy JANG 5-11 Sikh Regiment, who was interpreter in Japanese language and 1-Mk. JAGIN SINGH, 3-16 Punjab Regiment, who was interpreter in English and went to the Japanese. Japanese Lieut. KUBO, 2-Lieut. (Now. Lieut) KISHI, 2-Lieut. (Now. Lieut) MUKAI HATA Medical Officer of the party and Sub-Officer (Now Lieut) TAKEDA of No. 20 Party were all present there. Doctor MUKAI HATA, who could speak English acted as interpreter. I told them in details and requested them to make it clear to all their N.C.Os. and Sepoys, that KEEPING OF HAIR UN - CUT was our religious symbol, so that they may not pretend ignorance of our religious symbols anymore and interfere with it. Japanese Officers agreed to it and the next day Sub-Officer (Now. Lieut). TAKEDA, who was the adjutant of the party, informed me that all the Japanese have been informed accordingly.

The above statement has been read over to me and is correct.

Harnam Singh Sub Mayor

(Signatures of witness),

Witness No. 2 - 11406 1-Mk JAGIN SINGH, 3;16 Punjab Regiment, duly sworn states -

I am a clerk of 3-16 Punjab Regiment and was now working as the Gardener Orderly, as we had our Religious Book "GURU GARANTH SAHIB" with us. On arrival at Kokopo, Subadar Major HARNAM SINGH one day (exact date not remembered) ordered me to go with him to the Japanese, as interpreter in English to inform them about our Religious symbols as keeping hair, not using or even handling Tobacco. Sepoy JANG SINGH, 5-11 Sikh Regiment as also taken as Japanese interpreter. Lieut. KUBO, 2-Lt. KISHI, Sub-Officer (Now. Lieut.) TAKEDA, and Doctor MUKAI HATA Medical Officer in charge of the party were all there in the Japanese Camp. 2-Lieut. MUKAI HATA could speak and understand English well. Through him in English and Jang Singh in Japanese we clearly told them

that we considered HAIR, most sacred symbol and prefer cutting of neck to cutting of hair. Moreover we do not use or even handle tobacco in any shape. The Japanese Officers on our request, also agreed to inform all their N.C.Os. and Sepoys about this and promised that in future no religious interference will be made.

The above statement has been read over to me and is correct.

Jagin Singh

EX. H

Set Maj TANAKA Chuichi states:-

1. I am set Maj TANAKA Chuichi of 3 platoon, 20 special water service Coy.
2. Since Feb '45 to Aug. of the same year, I was engaging in the gardening of tapioca and sweet potato etc at Komoriyama, commanding about 20 Indians.
3. The production of food-stuffs was a vitally important problem relating to the lives of the Japanese soldiers and Indians in my platoon, in consequence, to fulfill the duty of garden production fully, it was absolutely necessary to make the Indians work hard and get as much harvest as possible. Such a warning was given to me frequently by the seniors and at the same time I myself believed so.
4. Since about April when the supply of rations was lessened throughout the whole Japanese forces, there arose an evil practice in which Indians and so on stole rice or tapioca of the platoon. Therefore I used to give warning to Indians and so on, whenever theft act was found.
5. In the morning 13 May '45, L/Cpl TAKENOUCHI, my subordinate, took to me with him two Indians by the name of BAGGA SINGH and DAN SINGH whose stealing of paw-paw was found out by him at the actual scene. When I was interrogating them about this incident, sub Lt. TAKEDA, platoon leader, happened to come to the spot on his way to the customary inspection, to whom I reported the case. Then he investigated these Indians furthermore who confessed that they stole paw-paw and had stolen tapioca several times before that. He ordered to me, "I am afraid the evil practice of the Indians and so on might be encouraged furthermore, if they would be remained unpunished. As a warning to all, cut their mustache off". I cut off the mustache of the two Indians with scissors. At that time, L/Cpl TAKENOUCHI was engaging in farming in the near by garden.
6. I do not know at all the incident of MUNSHA SINGH in Aug. '45.

田中 忠一
TANAKA Chuichi

I hereby certify that the above translation is true and correct.

[Signature]

[Signature]
14746

ex J

Cpl. TAKENOUCHI Yoshito states:-

1. Since Feb '45 to Aug. of the same year, I was engaging in the farming at Komoriyama, under the command of Sgt Maj TANAKA Chuichi of 20 Special Water Service Coy.
2. In the morning 13 May '45, when I inspected the gardens under my charge, I found out the actual scene in which DAN SINGH and BAGGA SINGH stole paw-paw.
I was cultivating this paw-paw with special attention, which I intended to give to a friend of mine who was kept in bed through ill-ness. I felt so much offended that I slapped these two Indians a few times each with my open hand unintentionally. Then I took them with me to Sgt Maj TANAKA to whom I reported the incident.
3. When Sgt Maj TANAKA was interrogating them, Sub Lt. TAKEDA, platoon leader, came to the scene.
After delivering those Indians to Sgt Maj TANAKA, I was weeding in the tapioca garden about 20 metres away from the said place. I saw Sgt Maj TANAKA cut the mustache off the two Indians.

竹之内吉人
TAKENOUCHI Yoshito

I hereby certify that the above translation is true and correct.

Y. Chikawara

*Chas. H. King, Lt Col
Provins
12.7.46*

7

ik

L/CPL MAYAMA Mihachi states:-

1. since Feb. 45 to Aug. of the same year, I was engaging in garden production, under the command of Sgt Maj TANAKA of 3 platoon 20 special water service Coy.
2. I have no connection at all with the incident in which DAN SINGH and BAGGA SINGH were cut their mustache off at Komoriyama on 12 or 13 May 1945.

127 山 2 入
L/CPL MAYAMA MIHACHI

I hereby certify that the above translation is true and correct.

J. Okamura

Chakrabarti
President
27.46

THE
END

DPW(AGI3(2a))/GN

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: Cpl MAYAMA Mihachi
Sgt SAKASHITA Morizo
Cpl MORISAKI Takeichi
Sgt Mjr OKAWA Hakuei

AWC No 2750, 2768, 2749, 2752.

Aust W.C. List Ser No.....

Court, Place, Rabaul 22, 23 July 46
Date and 8 MD.
Formation:

Charge(s)	Plea	Finding
ILL-TREATMENT OF PRISONERS OF WAR (1) near Keravat in September-November 1944 ill-treated Indian prisoners of war. (2) at Komoriyama on or about 1 August 1945 ill-treated 8040 L/Naik Kartar Singh of 3/16 Punjab Regt, an Indian prisoner of war.	Not guilty on both charges.	All accused guilty - accused MAYAMA guilty on first charge. Remaining accused including accused MAYAMA guilty on 2nd charge.

Precis of Evidence: 1. The evidence for the prosecution consisted of statements made by 3 Indian prisoners of war namely Jemadar Kartar Singh, Havildar Kartar Singh and L/Naik Kartar Singh and the written interrogations of the accused and signed by them.

2. The substance of the evidence relating to the 1st charge was as follows :- A party of Indians of 3/16 Punjab Regt were PW in Japanese hands. During Sep to Nov 44 they were working at a sawmill under the supervision of the accused MAYAMA. This accused subjected the Indians to daily beatings often without any justification and sometimes a false reason was given. A number of the Indians suffered very frequent attacks of malaria but they were not given any treatment or medicine and were compelled to go on fatigues. If it was detected that they were suffering from malaria the accused MAYAMA would beat them. If the Indians paraded sick, they were also (P.T.O.)

Sentence and Date: Accused MAYAMA, M. - to be imprisoned for 7 years - 23 Jul 46.
" SAKASHITA M " " " 5 " " " "
" MORISAKI, T " " " 7 " " " "
" OKAWA, H. " " " 5 " " " "

Confirmation and by Whom: Findings and sentences confirmed by Lt. Gen. V.A.H. STURDEE.

Promulgation: Confirmation of finding & sentences promulgated to the accused on 2 Jan 47

Petition: Petitions lodged 5 Aug 46 against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: DISMISSED.

Filed in Attorney-General's Department and Numbered.....

beaten and told that they made too many excuses and did not want to work. At roll calls they were made to stand to attention for very long periods. The Indians were permitted by the OC of the saw mill to take hot baths on account of the heavy work they were carrying out. They had to make their own arrangements for obtaining hot water. The accused MAYAMA refused to allow them to do so. The accused called out Jemadar Kartar Singh and said that the Indians were trying to make themselves equal to the Japanese. Jemadar Kartar Singh told the accused that the OC permitted hot baths and the accused then began to beat him with a heavy stick. He then paraded all the Indians and beat them individually. There were many instances of beatings and ill-treatment of the nature set out above during the period mentioned in the charge.

3. In regard to the 2nd charge the substance of the evidence was as follows :- L/Naik Kartar Singh had saved some rice from his ration issue. On 1 Aug 45 he decided to bury the rice in a bottle so that it would be available for use at a later date. The accused MAYAMA observed Kartar Singh doing so and accused him of stealing it. The accused said to Kartar Singh "We will beat you to death and shave you to similarize you with the "Nippon 'Masta'. This accused then proceeded to beat Kartar Singh and to pull out his beard. The accused MAYAMA then reported the incident to the accused SAKASHITA. All the Indians were ordered to fall in and the accused SAKASHITA proceeded to beat Kartar Singh with a spade handle until he fell to the ground in an unconscious condition. After a few minutes Kartar Singh was made to stand up again and he was beaten by the accused MAYAMA and the accused MORISAKI. The beating lasted for about 15 minutes and Kartar Singh was struck all over the body. Kartar Singh was left lying on the ground. Later the accused OKAWA came out and said "Do not leave him yet". "All these buggers must be shaved and similarised with the Nippon." The accused SAKASHITA then ordered the accused MORISAKI and MAYAMA to tie Kartar Singh's hands behind his back. When this was done the accused SAKASHITA produced a razor and proceeded to shave off the hair on the head of Kartar Singh also the beard and eyebrows. SAKASHITA then ordered Kartar Singh not to wear his turban.

4. The accused each gave evidence in their defence. Generally they denied the charges and stated that they had no connection with the assaults and ill-treatment as alleged. The accused MAYAMA denied all knowledge of the incidents but admitted having slapped an Indian once. The accused SAKASHITA denied all knowledge of the incident with which he was charged. He stated, however, that he remembered on one occasion being ordered to cut an Indian's hair neatly and that he carried out such order. He fixed the date of this event as late in July or early August 45. The accused OKAWA claimed that he was confined to bed with an illness and knew nothing of the incident. The accused MORISAKI denied all knowledge of the incident but said he had a recollection of being informed that an Indian's hair had been cut off as punishment for stealing.

NEDERLAND IN OORLOGSTIJD

ORGAAN VAN HET RIJKSINSTITUUT VOOR OORLOGSDOCUMENTATIE

Van 5 t.e.m. 9 September a.s. zal, gelijk in het vorig nummer reeds meegedeeld werd, onder auspiciën van het Rijksinstituut voor Oorlogsdocumentatie een internationale historische conferentie „De tweede wereldoorlog in het Westen” gehouden worden in Amsterdam. Er zullen ter conferentie in het Engels dan wel in het Frans een dertigtal inleidingen gehouden worden, drie daarvan in algemene zitting, te weten:

Prof. Arnold J. Toynbee, Londen: „Contemporaine geschiedschrijving als wetenschappelijk vraagstuk”.

Prof. Edmond Vermeil, Parijs: „Het Nationaal-Socialisme en de Duitse cultuur”

Prof. Dexter Perkins, Rochester, USA: „De Amerikaanse buitenlandse politiek vóór de tweede wereldoorlog.”

De overige inleidingen zullen gehouden worden in vergaderingen van secties en sub-secties, verdeeld over:

Sectie I: Militaire geschiedschrijving

Ia: Strijd te land

Ib: Strijd in de lucht

Ic: Strijd ter zee

Sectie II: Politieke geschiedschrijving

Sectie III: Economische en sociale geschiedschrijving

Sectie IV: Terreur en Verzet

IVa: Geschiedenis van de verzetsbeweging

IVb: Concentratiekampen en Jodenvervolgving.

De conferentie zal door de burgemeester van Amsterdam, Mr A. J. d'Ailly, geopend worden.

De inleiders zijn afkomstig uit de volgende landen: Verenigde Staten, Canada, Engeland, Italië, Frankrijk, België, Denemarken, Noorwegen en Nederland.

De conferentie draagt een besloten karakter. Uitnodigingen tot bijwoning zullen echter door het Nederlandse Organisatie-Comité op ruime schaal toegezonden worden aan figuren uit de Nederlandse wetenschappelijke wereld.

Voor nadere inlichtingen: zie de Engelse samenvatting in dit nummer.

Uit onze Indische collectie

Begin 1946 werd aan het Rijksinstituut voor Oorlogsdocumentatie een Indische afdeling toegevoegd, belast met het verzamelen van documentatiemateriaal betreffende de geschiedenis van Indië in de tweede wereldoorlog. Deze oprichting hing samen met het feit, dat in die tijd de eerste schepen met uit Indië gerepatrieerde Nederlandse burgers aankwamen, van wie velen in het bezit bleken te zijn van interessante stukken. Zij was gevolg van het inzicht, dat de Indische oorlogsgeschiedenis niet alleen op zichzelf documentatie en bestudering alleszins waard was, doch ook op verschillende punten van belang was voor de geschiedschrijving van Nederland in engere zin.

Documentatie en bestudering van de Indische oorlogsgeschiedenis lagen aanvankelijk niet op de weg van het Rijksinstituut. Het Directorium had bij het opstellen van de plannen met Indië geen rekening gehouden. Wie kon in de zomer van 1945 vermoeden, dat Japan al in Augustus zou capituleren? Toen enkele maanden later echter boot na boot aankwam, alle gevuld met landgenoten, die in oorlog en gevangenschap de merkwaardigste ervaringen hadden gehad, was duidelijk, dat er iets gebeuren moest: dit hoofdstuk uit de geschiedenis van het Rijk mocht niet verwaarloosd worden. Er moest ergens een instelling zijn, die zich moeite gaf om voor de toekomst te bewaren wat het bewaren waard was.

Zo kwam de Indische afdeling van het Rijksinstituut tot stand.

In de herfst van 1946 gingen we nog een stap verder.

In Nederland zelf kon men naar verhouding maar weinig documentatiemateriaal over de Indische oorlogsgeschiedenis bijengaren. Wilde men het werk goed aanpakken, dan moest het in Indië ter hand genomen worden. De regering had de handen vol met politieke problemen. Pogingen om haar te doordringen van de wenselijkheid om in Indië met de documentatie van de oorlogsgeschiedenis te beginnen, leidden niet tot het gewenste resultaat. Noodgedwongen staken we de handen zelf uit de mouw: in de herfst van 1946 werd het Bureau Batavia van het Rijksinstituut voor Oorlogsdocumentatie opgericht.

Het was een experiment. Waren de omstandigheden gunstig geweest, er had zich iets heel moois uit kunnen ontwikkelen. Doch de omstandigheden waren zo ongunstig als maar zijn kon. Er was geen vertrouwen tussen de Nederlanders en de Indonesiërs. De eerste politieke actie (zomer '47) verscherpte de verhoudingen. Aller aandacht raakte gericht op de militaire en politieke gebeurtenissen. De sfeer waarin men objectief wetenschappelijk werk kon doen, ontbrak. Eind '47 koesterden we nog de hoop, dat de Indische autori-

teiten ons bescheiden Bataviase Bureau tot een volwaardig Instituut zouden doen uitgroeien; die hoop ging niet in vervulling. Er restte niets anders dan in de lente en zomer van '48 het bureau te liquideren. Het omvangrijke bijeengebrachte documentatiemateriaal werd naar Amsterdam overgebracht.

Daar had de Indische afdeling haar werk voortgezet, in 1948 dank zij de genereuze steun van het Prins Bernhard Fonds en enkele grote ondernemingen; vanaf 1 Januari 1949 nam het Rijksinstituut de financiering van wat toen „de Indische Oorlogscollectie” genoemd werd, weer over.

De meesten onzer lezers zullen Indië niet kennen. Ik ben er ook nooit geweest. Hier-en-daar eens duikend in het door de Indische Oorlogscollectie verzamelde materiaal werd ik echter telkens getroffen door interessante stukken en rapporten. Zo drong zich de gedachte op, eens een nummer van „Neder-

(Wordt vervolgd op pag. 2, onderaan.)

Uitgegeven door de Stichting tot uitgave van publicaties van het Rijksinstituut voor Oorlogsdocumentatie,

Herengracht 479, Amsterdam C.

Telefoon: 30065 - 36062 - 36331.

Abonnementsprijs tot eind 1950 f 3.75.

Betaling: op gironummer 3011 van de Rotterdamsche Bank N.V. Rokin 29-51 te Amsterdam, onder vermelding: ten gunste van „Nederland in Oorlogstijd”.

Het dagboek van Kumada Hayashinotoshi

Ingeleid en vertaald door J.J.C.W. van Nooten

Op 9 Maart 1942 werd in een plaatsje bij Bandoeng een zakboekje in dagboekvorm gevonden van een Japans soldaat, Kumada Hayashinotoshi. Het zakboekje werd in 1946 door de vindster, mevr. Loemban Tobing, aan het Rijksinstituut voor Oorlogsdocumentatie afgestaan. Het bleek behalve de dagboek aantekeningen te bevatten:

1. Het z.g. Keizerlijk Edict van 4 Januari 1882.
2. Het z.g. Keizerlijk Decreet van 7 Juli 1938.
3. De Voorschriften op het Slagveld van 8 Januari 1940.

Deze drie stukken hadden tot dusver in de Westerse wereld weinig de aandacht getrokken. Dit was een reden te meer voor onze toenmalige Japanologische medewerker, J. C. C. W. van Nooten, gep. kapitein van het K.N.I.L., om de gehele inhoud van het zakboekje met zorgvuldigheid te vertalen.

De vertaling van de heer Van Nooten werd, voorzien van een uitgebreide door hem geschreven inleiding, in 1947 in een beperkte oplage gestencild en ter beschikking gesteld van de wetenschappelijke relaties van het Rijksinstituut. In de gestencilde uitgave hebben wij bij de publicatie in dit nummer enkele bekortingen aangebracht. De dagboek aantekeningen van Kumada Hayashinotoshi zijn geheel afgedrukt. Van de drie Japanse documenten publiceren we alleen het derde: de Voorschriften op het Slagveld. Uit de Inleiding van de heer Van Nooten hebben we de passages laten vervallen die betrekking hebben op het Keizerlijk Edict van 1882 en het Decreet van 1938 of die diep ingingen op enkele wetenschappelijke kwesties, waarvoor, naar wij meenden, de belangstelling in onze wijde lezerskring beperkt zou zijn.

Inleiding

REEDS in zijn jonge jaren, wanneer de Japanner als schoolkind de eerste pogingen doet zich de geschreven taal eigen te maken, vindt hij in zijn schoolboekje een voorbeeld van een dagboek en een model hoe hij dit heeft in te vullen. Uitteraard is dit in het begin heel eenvoudig; het model geeft de datum, de dag van de week en de weersgesteldheid en de inhoud zelf biedt niet meer dan de eenvoudige gebeurtenissen in het kinderleven. Evenwel, men moet de sterke beïnvloeding van de jeugd door het onderwijs in Japan in het oog houden om te begrijpen, dat een dagboek niet zonder reden in een schoolboekje wordt opgenomen. Hoewel hier niet verder op ingegaan kan worden, is het begrijpelijk, dat het dagboekschrijven voor de jeugdige Japanner zo niet een plicht, dan toch iets natuurlijks was. Aldus mag Japan wel als een dagboekschrijvend land worden aangemerkt.

Hieruit volgt, dat het niet vreemd is, dat het Rijksinstituut voor Oorlogsdocumentatie op een dagboek van een soldaat de hand heeft kunnen leggen. In aanmerking genomen, dat

er praktisch geen analfabeten in Japan zijn, moet het aantal geschreven dagboeken zeer groot zijn en het is mogelijk, dat mettertijd nog meer van deze documenten verkregen zullen worden. Toch moet een groot deel van deze dagboeken weer vernietigd zijn, want zij bevatten uitteraard veel militaire gegevens en in de oorlogsperiode was het gewoonte, de dagboeken zodra men in gevaar verkeerde te vernietigen. Daarom is het verheugend, dat één dagboek uit de voor ons meest bewogen dagen van de oorlog, n.l. van December 1941 tot Maart 1942 gered is.

Het dagboekje is na de capitulatie van de Nederlandse strijdkrachten op Java op 9 Maart 1942 door een familie, die naar Lembang (een bergplaatsje \pm 15 km van Bandoeng) terugkeerde, in de door haar tijdens de gevechten ontruimde woning gevonden. Hoe het aldaar gekomen is, valt niet met zekerheid na te gaan. De laatste dag waarop aantekeningen gesteld werden is 9 Maart 1942 en er is geen reden om aan te nemen, dat deze aantekeningen foutief zijn. Op deze dag zou de schrijver langs een slechte weg, die bezaaid was met lijken en auto's van de vijand, in de richting van Ban-

doeng zijn opgerukt. Hiervoor zouden twee wegen in aanmerking kunnen komen, n.l. de weg van Kalidjati (vliegveld) naar Poerwakarta en de weg van Soebang naar Lembang langs de Tjiaterstelling. In verband met het vinden van het boekje in Lembang is het oprukken langs laatstgenoemde weg het waarschijnlijkst. Gevechten worden niet gemeld; voor de schrijver is het een doorlopende opmars geweest. Hieruit mag geconcludeerd worden, dat de man het boekje verloren heeft tijdens een rust of verblijf te Lembang, nadat hij aldaar de aantekeningen voor 9 Maart gesteld had.

De authenticiteit van het dagboek staat volkomen vast. Het enige punt, waarover twijfel kan bestaan, zijn de data. De moeilijkheden, die de schrijver heeft bij de overbrugging van nachten en dagen wanneer hij doorlopend in actie is, komen in verschillende delen van het dagboek tot uiting.

HET dagboek is een uitgave van een Japanse uitgeverij, de *Takeagesha Shoten* in Kyôto en is uitsluitend bedoeld voor militairen. De titel *Herinnering aan het verblijf bij de weermacht. Dagboek te velde* geeft dit overduidelijk aan. Het boekje werd voor de maximumprijs van 35 sen aan militairen verkocht en had de laatste herdruk op 5 October 1941, dus vlak voor het uitbreken van de oorlog.

De indeling heeft zich geheel aangepast aan de eisen, die aan een militair dagboek in Japanse zin kunnen worden gesteld. Het begint met een drietal voor de militair belangrijke stukken, n.l. het Keizerlijk Decreet van 7 Juli 1938, het Keizerlijk Edict van 4 Januari 1882 en de „Voorschriften op het slagveld” van 8 Januari 1941. Achter deze documenten bevinden zich de bladzijden voor aantekeningen, dus het eigenlijke dagboek. Het dagboek besluit met ruimte voor een groot aantal militaire gegevens betreffende het onderdeel en particuliere aangelegenheden. Achtereenvolgens wordt plaats gegeven aan een naamlijst van de hiërarchie hoger geplaatsten, de korte inhoud van de theorieën van commandanten, de buitengewone verplichtingen als post, de naamlijst van de oorlogsmakkers, indrukken op het slagveld en een kasboekje. Ter illustratie zijn op de binnenzijden van de omslag grove kaartjes van Oost-Azië en van de gehele wereld afgedrukt. Op beide is de invloedssfeer van Japan in rood aangegeven, waarbij zeer optimistisch nagenoeg geheel China binnen de sfeer is getrokken. Ook vindt men een illustratie van de Chinese

Vervolg van pag. 1

land in Oorlogstijd” met specimina uit de Indische Oorlogscollectie te vullen. Ons blad heeft in het verleden aan die collectie meermalen aandacht besteed. Ik geloof echter, dat de toegewijde arbeid, die daar sinds 1946 verricht is, in dit aparte nummer beter tot zijn recht kan komen. Het nummer is in overleg met het Hoofd van de Collectie, mevr. A.H. Joustra, tot stand gekomen.

Zo, lezer geef ik U thans over aan een wereld, die U wellicht vreemd is, — een wereld echter, waarin tienduizenden van Uw landgenoten gestreden en geleden hebben. Van dat lijden en van die strijd geven wij U hier geen beeld, dat ook maar enigermate op volledigheid aanspraak kan maken. Teveel onderwerpen zijn

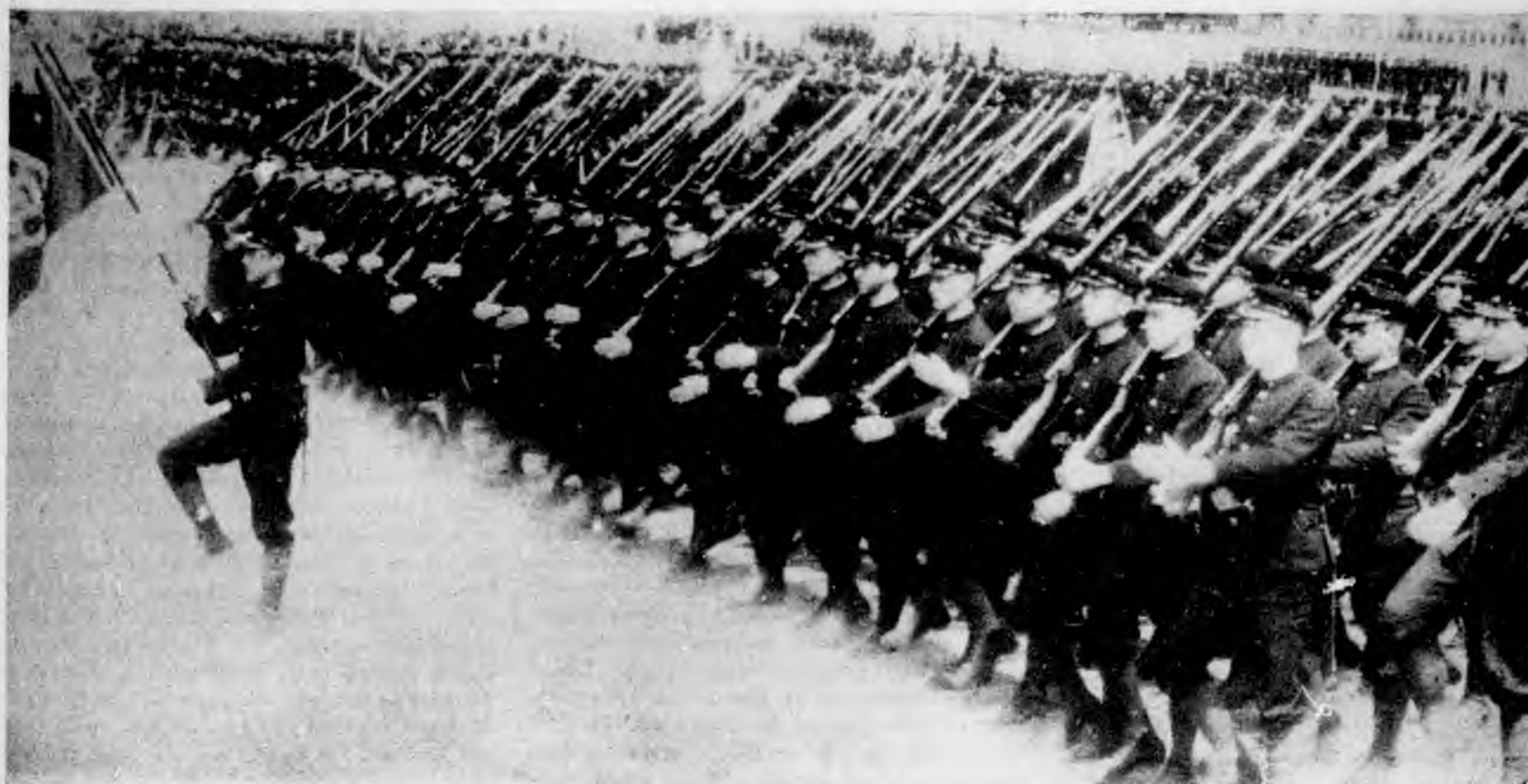
er, waaromtrent U in de hiervolgende pagina's niets of nagenoeg niets zult aantreffen: de worsteling van de Nederlandse en Nederlands-Indische strijdkrachten, de Indische illegaliteit, de interneringskampen, de politieke ontwikkeling tot Japans ineensinking. Om dat alles adequaat te beschrijven, zou men boeken nodig hebben. Het samenstellen daarvan ligt niet op de weg van een Instituut dat de handen vol heeft met wetenschappelijk werk ten aanzien van de oorlogsgeschiedenis van het Rijk in Europa. Zo dit nummer echter van iets getuigt, dan — naar ik hoop — van het feit, dat het zin gehad heeft, dat wij binnen de grenzen van onze begroting Indië niet verwaarloosd hebben.

Kennismaking met vreemde landen en volkeren heeft altijd iets fascinerends.

Die kennismaking wordt U hier in het bijzonder geboden met betrekking tot de Japanners. Van de militaire mentaliteit van dit eilandenvolk is in het Westen, behoudens wellicht in wetenschappelijke kringen, maar weinig bekend. Als U straks echter dat tekenend dagboek gelezen hebt van de Japanse reeruit Kumada Hayashinotoshi, die deelnam aan de invasie van Java, of het Legervoorschrift no. 1, uitgevaardigd door Hideki Tojo, dan zult u de gevaarlijk snelle expansie van Japan misschien beter begrijpen.

Genoeg ter inleiding! Het materiaal spreke voor zichzelf.

L. DE JONG



Op 13 Juli 1939 werd deze foto genomen van een slotparade van Japanse recruten bij Tokio voor hun vertrek naar het front in China. Nog geen anderhalf jaar later nam Kumada Hayashinotoshi aan een soortgelijke parade deel.

muur met Japanse vlaggen beplant en een drielal gecopieerde foto's, voorstellende de Keizerlijke Tempel van Ise, de grote Meijitempel in Tokyo en de Yasukunitempel, de tempel waarin de op het slagveld gesneuvelde en gestorven soldaten vereerd worden.

De bladzijden voor de aantekeningen zijn volgens de algemeen in Japan geldende regels ingericht. Aan het hoofd zijn maand, datum, dag van de week, weersgesteldheid en atmosferische temperatuur vermeld. Deze moeten door de dagboekschrijver zelf worden ingevuld. Verder zijn aan de bovenzijde der bladzijden behatenswaardige wenken en spreuken opgenomen. Deze luiden:

- „Wanneer gij omzichtig zijt met de geschriften, komt er geen onheil, wanneer gij matig zijt met het voedsel, wordt gij niet ziek”.
- „Wanneer gij geen uitweg meer weet, moet gij zeker doorzetten” (I Ching).
- „Voordeel voor de aarde is niet hetzelfde als voordeel van de mens”. (Sun Tze).
- „Het hemels verloop komt niet overeen met het voordeel voor de aarde”. (Sun Tze).
- „Bij het ontdekken van een goede gelegenheid moet gij die aangrijpen”.
- „Word als oprechte vriend de werkelijke belichaming van God”. (Napoleon).
- „Wanneer gij 's morgens niet eet, hebt gij 's middags honger” (I Chai).
- „Al is een zaak onbetekenend, wanneer gij deze niet uitvoert, zult gij niet tot resultaat komen” (Hsun Tze).

Tenslotte is bij het dagboek een bijlage, genaamd „De tien geboden voor de hygiëne”, bevattende regels voor de leefwijze in tropische gebieden. De tien voorschriften zijn:

- 1e. streng verbod van het gebruiken van ongekookt drinkwater.
- 2e. ernstige waarschuwingen betreffende het voedsel.
- 3e. alle inspanning bij de bescherming tegen muggen.

- 4e. laat uw buik niet koud worden.
- 5e. ernstige waarschuwing tegen zonnesteek.
- 6e. ernstige waarschuwing tegen huidziekten.
- 7e. ernstige waarschuwing tegen geslachtsziekten.
- 8e. ernstige waarschuwing betreffende giftige slangen en insecten.
- 9e. vasthouden aan de regels voor bloedstelping.
- 10e. maak in ieder geval latrines.

De bedoeling van het stuk blijkt voldoende uit bovenstaande inhoudsopgave en een volledige vertaling is achterwege gelaten, daar de toelichtingen nagenoeg niet afwijken van de algemeen bekende hygiënische voorschriften in de tropen.

De schrijver en zijn onderdeel.

DE schrijver noemt zich volgens de aantekeningen achter in het dagboek Kumada Hayashinotoshi en behoort als soldaat tot de commando-groep van de Kurobe-afdeling. Op de voorlaatste bladzijde wordt een meer uitvoerige beschrijving van het onderdeel gegeven en staat vermeld:

„Isamu afdeling Nr. 1303, afdeling Sato (Han), afdeling Endō, afdeling Kurobe, commando-groep.
Kumada Hayashinotoshi.”

Uit het bovenstaande blijkt, dat de schrijver ingedeeld was bij de commandogroep van de Kurobe-afdeling, d.w.z. bij de verbindingsafdeling welke belast was met het onderhouden van de verbinding van de Kurobe-afdeling met andere afdelingen of groepen en ook met de verbindingsafdeling in de afdeling. De op elkaar volgende afdelingen geven aan, dat de volgende afdeling een onderdeel van de voorgaande is. De afdeling Kurobe is een onderdeel van de Endō-afdeling, de Endō-afdeling een onderdeel van de

Satō-afdeling en deze laatste weer een onderdeel van de Isamu-afdeling 1303. De betekenis van Isamu is moedig, strijdbaar. Het Japanse leger had een splitsing in Isamu en Osamu afdelingen, waarvan de eerste de strijdende afdelingen, de laatste de hulpafdelingen (de regerende afdelingen) waren. Tot de eerste groep behoorden alle afdelingen, die rechtstreeks aan de strijd deelnamen, terwijl de tweede groep het geheel der voorzieningen, administratie, aan- en afvoer, enz. omvatten. De schrijver was dus bij de strijdende troepen ingedeeld en behoorde tot divisie of Brigade 1303. Op welke wijze de nummering plaats vond, is nog niet bekend. Wel is bekend, dat de op West-Java landende troepen behoorden tot divisies of Brigades boven 1300. De overige onderdelen kunnen bij vergelijking met de naamlijst van hiërarchische meerderen in hun verband teruggebracht worden. De naamlijst vermeldt n.l.:

Afd.command. Inf. Kolonel	Satō Hanshichi
Afd.command. Inf. hoofdoff.	Endō Hiroaki
Comp.cmdnt. Inf. 1e luit.	Kurobe Inao
Toegev. offic. 2e luitenant	Tsukahara Norinoto
2e luitenant	Matsunaga Toshio
2e luitenant	Katō Tadashi
Onderluitenant	Okakami Yukisa.

Uit een en ander mag worden geconcludeerd, dat Kurobe de compagniescommandant, Endō de bataljonscommandant en Satō de regimentscommandant was, aangezien de commandogroep in zijn kleinste vorm ingedeeld is bij de compagnie en Kurobe als 1e luitenant zeker geen bataljonscommando bij de strijdende afdelingen zal hebben gehad.

Kumada Hayashinotoshi was bijgevolg ingedeeld bij de divisie (of Brigade) 1303, het regiment van kolonel Satō, het bataljon van luitenant-kolonel of majoor (dit is niet ingevuld) Endō en de compagnie van de 1e luitenant Kurobe. De namen van de hogere commandanten zijn uit het dagboek niet op te maken.



Hebt U ook de pakjes sigaretten gekocht van de Stichting 1940—1945, gelijk aan die, welke in 1940 bij de verjaardag van de Koningin door de RAF uitgestrooid werden? De gedachte om door die verkoop gelden in te zamelen voor het voortreffelijke werk van de Stichting werd het eerst geopperd door het Hoofd van de Nederlandse Oorlogscollectie van het Rijksinstituut.

De Afdeling Bronnenpublicaties van het Rijksinstituut wordt deze herfst met twee wetenschappelijke medewerkers uitgebreid. Uit de kandidaten, die zich mede n.a.v. een advertentie in het Weekblad voor Gymnasiaal en Middelbaar Onderwijs meldden, werden door het Directorium gekozen: Mej. J. P. Booy, dra. in de economie, en Mr J. R. de Groot, advocaat en procureur te Alkmaar.

De voorjaarschoonmaak heeft het aantal door ons ontvangen zendingen documentatiemateriaal weer belangrijk doen stijgen. Hebt U nog iets in Uw kast liggen, dat *eigenlijk* beter bij ons zou thuishoren? Stuur het ons toe! Wij vergoeden U gaarne de toezendingskosten.

Legio is het aantal dag- en weekbladen, die ten behoeve van artikelen in de herdenkingsweek van Mei door ons aan gegevens, foto's en derg. geholpen werden — een hulp, die we graag verstrekken: hoe meer ons volk zich bezint op de tweede wereldoorlog, des te liever is het ons. De gemeente Amsterdam organiseerde in het Indisch Instituut op de Nationale Bevrijdingsdag voorstellingen, waar Nederlandse en Indische films uit de collecties van onze instelling vertoond werden, zulks met groot succes. Het onophoudelijk ge-*Heil-Hitler* in de Duitse fragmenten gaf aanleiding tot veel hilariteit.

Het Belgische dagblad *De Standaard* wijdde in zijn nummer van 6 April j.l. een uitgebreid artikel aan de activiteit van onze instelling, in het bijzonder aan haar publicatieplannen, waarin betreurd werd, dat men in België de gelegenheid verzuimd had, een Belgisch Rijksinstituut voor Oorlogsdokumentatie in het leven te roepen.

Het Directorium van het Rijksinstituut verzocht enkele maanden geleden aan het Bestuur van de Communistische Partij van Nederland om inzage in alle stukken, die dat Bestuur omtrent de Februaristaking van 1941 bezat. Het verzoek werd in een schrijven d.d. 2 Mei, ondertekend door de heer P. de Groot, geweigerd. De brief van het Bestuur van de CPN eindigde met de woorden: „De geschiedenis van de Februaristaking 1941 zal t.z.t. geschreven worden, doch niet door U”. De brief werd afgedrukt in het nummer van *De Waarheid* van 3 Mei j.l.

Het aantal illegale bladen, waarvan wij de tijdens de bezetting verschenen nummers volledig of fragmentarisch verzameld hebben steeg in April boven de 1000. In België zijn tot dusver ruim 660 illegale bezettingsbladen bekend geworden.

Sinds enige tijd geeft het *Comité d'Histoire de la Guerre* te Parijs een eigen tijdschrift uit, de *Cahiers d'Histoire de la Guerre*. Het in Februari j.l. verschenen derde nummer bevatte een beknopt overzicht van groei en ontwikkeling van het verzet in Nederland, geschreven door mej. mr D. D. Vollgraff, medewerkster van het Rijksinstituut, thans gedetacheerd bij de Enquêtecommissie „Regeringsbeleid 1940—1945” van de Tweede Kamer der Staten Generaal.

Het schrift en de vorm.

DE aantekeningen zijn gesteld in het Japans colloquial, d.w.z. in Sino-Japans schrift met Japans tussenschrift volgens de gesproken taal.

Grammaticaal is de taal slecht, hetgeen niet verwonderlijk is, daar het aantekeningen in een dagboek betreft en we bovendien met een eenvoudig man te doen hebben. Interpunctie gebruikt de auteur niet, maar dit is een normaal verschijnsel in Japanse geschreven stukken. Het verhoogt echter de moeilijkheden bij het lezen van het dagboek. In de Japanse taal worden n.l. de tijden aan het eind van de zin geplaatst en hiermede wordt dus bij wijze van spreken de zin gesloten. De schrijver echter, verwaarloost in de meeste gevallen de uitgangen, zodat niet te zien is, waar een zin eindigt en de nieuwe zin begint, en evenmin duidelijk is, in welke tijd de zin gesteld is. Het lezen van het dagboek is in hoofdzaak een reconstrueren van de bij het schrijven bedoelde gedachte, welke uit het zinsverband moet worden opgemaakt. Het is daarom zeer goed mogelijk, dat bij de vertaling fouten zijn gemaakt, te meer daar de Sino-Japanse karakters dikwijls foutief geschreven zijn en bij de vertaling deze fout eveneens uit het zinsverband moest worden opgemaakt. Bij de vertaling is de Japanse tekst zo dicht mogelijk gevolgd, waardoor de gedrongen stijl naar voren komt; voor zover dit aan de leesbaarheid niet tekort deed, zijn ook de Japanse zinswendingen zo vaak als mogelijk was gebruikt. Hierbij heeft de bedoeling voorgezeten, een zo nauwkeurig mogelijke indruk te geven van de persoon van de schrijver. Ook zal men om dezelfde reden dikwijls grammaticaal-foutieve zinnen in de vertalingen tegenkomen. De eis om het Japanse begrip voor de Westerling begrijpelijk te maken en om de Oosterse gedachtengang tot zijn recht te doen komen, heeft de doorslag gegeven bij de keuze tussen grammaticaal juist Nederlands en een meer letterlijke vertaling.

De aantekeningen zijn met inkt en hoogstwaarschijnlijk met een vulpen geschreven. In het algemeen is het handschrift niet aarzeland en er komen nagenoeg geen doorhalingen voor. Wel zijn hier en daar de Sino-Japanse tekens verbeterd door doorschrijvingen in het teken; uit de tussenschrijvingen hier en daar blijkt, dat de schrijver zijn aantekeningen naderhand doorlas en corrigeerde. Desondanks zijn er toch veel fouten blijven staan.

Uit het schrift valt op te maken, dat de aantekeningen niet altijd elke dag werden gesteld, terwijl enkele malen op één dag meer dan één aantekening werd gemaakt.

De dagelijkse hoofden.

DE aantekeningen beginnen met de vermelding van het jaar en datum van de oproeping in militaire dienst. Hierbij vermeldt de schrijver Shōwa 16e jaar, 12e maand, 1e dag. Hoewel de Japanners een jaartelling hebben, die bij de troonsbestijging van de eerste keizer in 660 vóór Christus begint, maken zij in het algemeen hiervan weinig gebruik. Meestal, ook in officiële en officieuze stukken, geeft men aan de keizersperioden de voorkeur en volgt men een jaartelling die begint bij de troonsbestijging van een keizer. Deze perioden worden niet

benoemd naar de persoonlijke naam van de keizer. Bij de troonsbestijging wordt een naam gegeven aan de komende periode en deze naam bevat in het kort de verwachtingen van het ingaande regeringstijdperk. Zo vindt men voor de periode van 1868 tot 1912, de regering van keizer Mutsuhito, de periodenaam Meiji, Verlichte Regering, voor de periode van zijn opvolger de periodenaam Taishō Grote Rechtvaardigheid, en voor die van de tegenwoordige keizer Shōwa, Schitterende Harmonie. Deze perioden beginnen te tellen bij de troonsbestijging, d.w.z. als eerste jaar wordt gerekend het jaar dat de keizer aan de regering komt en op 1 Januari d.a.v. rekent men het tweede jaar. De Taisnō-periode eindigde met het overlijden van de vorige keizer in December 1926. December 1926 is volgens deze rekening dus Shōwa 1e jaar, Januari 1927 Shōwa 2e jaar. Op deze wijze is Shōwa 16e jaar volgens de westerse jaarrekening 1941, volgens de in Japan zelf minder gebruikelijke Japanse jaarrekening 2601. Voor de Oostaziatische sfeer gold deze laatste jaarrekening juist wel. De maanden en dagen worden ieder doorlopend genummerd: Januari 1e maand, Februari 2e maand enz.; de dagen telt men van 1 tot 30 enz., evenals in het Westen. De dagen van de week hebben weer enigszins afwijkende benamingen, n.l. de Zonnedag, de Maandag, de Vuurdag, de Waterdag, de Houtdag, de Metaaldag en de Aardedag. Deze benamingen hangen samen met de elementen en de planeten.

In de inleiding werd reeds vermeld, dat het model van het dagboek de invulling vereiste van datum, dag van de week, weersgesteldheid en atmosferische temperatuur. Het waren vooral de weersgesteldheid en de atmosferische temperatuur, die de schrijver moeilijkheden veroorzaakten. De bedoeling is, dat met een enkel woord de algemene weersgesteldheid en atmosferische temperatuur worden aangegeven. Dat dit voor eenvoudigen van geest, zoals de schrijver kennelijk is, moeilijkheden oplevert, ligt voor de hand. Een dag die begint met regen en daarna overgaat in opklarend weer met heldere hemel, een lichte bewolking met afwisselend regenbuien zijn moeilijk door een korte aantekening vast te leggen. De schrijver heeft in het algemeen de ochtendgesteldheid van het weer vermeld en heeft betrekkelijk trouw aan de invulling vastgehouden. De atmosferische temperatuur viel echter volkomen buiten zijn begripskring en deze gegevens zijn niet of nagenoeg niet ingevuld.

De inhoud der aantekeningen.

HET is vooral door het ontbreken van de tijden in vele gevallen zeer moeilijk, uit te maken welke bedoeling de schrijver precies gehad heeft. Bij het in beschouwing nemen van de dagen na de landing zal dit duidelijk tot uiting komen, doch vele aantekeningen bevatten dergelijke hindernissen. Door de onbelangrijkheid der aantekeningen voor het feitenmateriaal is het ontbreken der tijden geen overwegend bezwaar.

Een andere moeilijkheid vormen de plaatsnamen. Deze zijn met uitzondering van die in Indo-China en Java door Sino-Japanse karakters weergegeven; het is dan ook moeilijk, zo niet onmogelijk, de plaatselijke uitspraak zelfs bij benadering weer te geven. Dit geldt met name voor de kleinere plaatsen, daar de uit-

spraak van de namen der grotere plaatsen meer algemeen bekend is. De namen van de kleinere plaatsen zijn daarom approximatief vertaald. Hetzelfde geldt voor de persoonsnamen. De familienamen zijn algemeen gebruikelijk en bekend. De persoonsnamen daarentegen zijn niet aan een vaste uitspraak gebonden, zodat het voorkomt, dat twee mensen met namen, die uit dezelfde tekens bestaan, toch een verschillende naam hebben.

Bij het in beschouwing nemen van de verschillende aantekeningen dient nog een enkele toelichting gegeven te worden.

Als eerbiedsbetuiging voor iedere hogergeplaatste wordt achter zijn rang „dono” geplaatst, hetgeen een equivalent van „san”, mijnheer of mevrouw achter de familie- of persoonsnaam in het burgerlijke is. In al zijn aantekeningen houdt de schrijver aan deze vorm vast. Hoewel het de gewoonte is, deze betiteling weg te laten beneden de rang van groepscommandant (sergeant), noemt schrijver op 21 December de korporaal „dono” en zelfs geeft hij op 23 December een soldaat eerste klasse deze titel!

De feestdagen die gedurende deze drie maanden gevierd werden, zijn het Nieuwjaarsfeest en de Kigensetu. Het Japanse nieuwjaar valt volgens de nieuwe tijdrekening op 1, 3 en 5 Januari. Op 1 Januari worden de diensten voor de goden gehouden, op 3 Januari is het grote nieuwjaarsfeest en op 5 Januari wordt het nieuwjaar gesloten met een feestelijke bijeenkomst. Op deze wijze wordt de gehele periode van 31 December tot 5 Januari een aaneenschakeling van feestelijkheden. De reacties van de schrijver op deze feesten zijn duidelijk in het dagboek naar voren gekomen. De oudejaarsavond is gewijd aan feest en sentimentaliteit. Het is in de grond niet verschillend van de Westerse oudejaarsviering maar in Japanse sfeer, d.w.z. met bier, veel drank en koekjes. Ook de sentimentaliteit uit zich en wel in de goede voornemens voor het komende jaar. 1 Januari geeft een geheel ander beeld. De godsdienstige plechtigheid om de Japanse vlag maakt een diepe indruk, die echter spoedig weer vervaagt door de feestelijkheden met bier. De indruk van de gehele dag is een soort hoerastemming, ondanks de ochtendplechtigheid. 3 Januari is de eigenlijke feestdag met allerlei spelletjes en vermaken. Er is geen hoerastemming, het geheel geeft een indruk van een rustige, kinderlijke sfeer. Deze stemming herkent men ook op 4 Januari. De sluiting van het nieuwe jaar op 5 Januari vindt de schrijver in een opgewekte stemming.

Een geheel andere indruk maakt het Nieuwjaarsfeest volgens de oude stijl op 15 Februari. Het verschil in stemming in de periode 31 December—5 Januari en 14, 15 en 16 Februari is zeer opvallend. In het ene geval het oppervlakkige, in het andere de diepe gevoelens die dit nieuwjaar bij de schrijver wekken. Vooral de uitlating van 14 Februari geeft een indruk van het ware innerlijk, van de verbondenheid van de schrijver met familie en geboortegrond. Dat hij verbonden is met het nieuwjaar oude stijl en dat het nieuwjaar nieuwe stijl voor hem niet meer is dan een opgedrongen feestelijkheid, komt in deze aantekening duidelijk naar voren.

De Kigensetu, het feest van de grondlegging van de dynastie op 11 Februari, is eveneens een van de feestdagen uit deze periode. Ook

DRINGENDE WAARSCHUWINGEN

Aan Nederlanders in Indië

Het Keizerrijk Nippon heeft zijn machtige strijdkrachten naar Indië gezonden. De huidige regeering in Indië is niets anders dan een groep marionetten van Engeland en van de Vereenigde Staten. Zij heeft geweigerd aan de opbouw van een gemeenschappelijke welvaarts sfeer in Oost-Azië deel te nemen, Nippon wenscht dat een nieuwe regeering door de Indonesier gesticht worde, die bereid is met ons wil samen te werken.

Onze strijdkrachten zullen hen helpen tot stand te brengen. Hierbij verklaar ik met den meesten ernst het volgende, dat iedereen heeft in acht te nemen:

1. De strijdkrachten van de Japansche marine, het leger en de luchtmacht zijn overweldigend superieur en binnen een paar weken zal de geheele Indische Archipel bezet worden. Daarom is nu alle tegenstanden nutteloos.

2. Zij, die petroleum bronnen, inrichtingen van oliebedrijven, olietanks e. d. vernielen of daaraan een helpende hand bieden, zullen tezamen met alle hun familieleden en verwanten terstond doodgeschoten worden.

3. Schade toegebracht aan Japanners of Japansche bezittingen zal honderdvoudig gewroken worden.

4. Hollanders die met Japansche Troepen willen samenwerken zullen voor hun leven beschermd worden en hun eigendommen voor altijd veilig gesteld blijven.

De Opperbevelhebber der Japansche Strijdkrachten.

Bij de komst van de Japanse troepen werd op Java het bovenstaande pamflet uit Japanse vliegtuigen uitgeworpen.

hierbij vinden wij dezelfde sfeer van het feest van 1 Januari. De plechtige stemming 's morgens wordt gestimuleerd door de militaire ceremoniën, maar de stemming vervaagt ook hier en eindigt in bier en drank.

Uit het bovenstaande mag zonder te ver te gaan geconcludeerd worden, dat de schrijver zich niet verbonden voelt met de Japanse dynastie en dat hij innerlijk vreemd staat tegenover de echt Japanse feestdagen. Hij deed als militair mee, kwam er van onder de indruk, maar van een innerlijk beleven was geen sprake. Daarentegen was het nieuwjaar oude stijl zijn feest, een van de grote feesten van het jaar,

waarbij hij zich volkomen wijdde aan gedachten over zijn geboortegrond.

OVER het algemeen spreken de dagboek-aantekeningen voor zichzelf. Belangrijke ontwikkelingen en sensationele gebeurtenissen worden hierin niet gevonden, hetgeen begrijpelijk is, daar de schrijver een eenvoudig soldaat is. De aantekeningen zijn niet voor anderen bestemd, daarvoor is de opmaak te simpel. Hier en daar gebruikt hij stadhuiswoorden, doch dit komt door de imitatiezucht, welke eigenschap veel voorkomt bij de Japanner. Een mooi woord, een deftige uitdrukking, die

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hem in een krant of geschrift opvalt, maakt hij tot zijn eigendom en hij gebruikt ze te pas en te onpas.

De schrijver als mens.

DE schrijver is afkomstig uit het dorpje Samatsu, dat gelegen is in de nabijheid van de spoorlijn van Niiga, Sendai-Tōkyō tussen Kōriyama en Shirakawa. Het is een binnenplaats in de bergen en de schrijver is kennelijk nooit ver van zijn geboortedorp geweest want het temperatuursverschil met andere plaatsen en ook de wijde zee maken een grote indruk op hem. Voor zover de familie bekend wordt, bestaat deze behalve uit de schrijver, uit zijn vader, zijn moeder, een getrouwde oudere zuster, Tatsu, een jonger broertje, Hayashisa, en een jongere zuster Hanako Hayashiya. Hij is kort geleden getrouwd en zijn vrouw was eerst nog niet in de familie opgenomen. Dit gebeurde eerst, toen zij in de registers van de familie Kumada werd ingeschreven (25 December). De leeftijd van de schrijver is niet te bepalen, doch hij is zeker niet jonger dan 19 jaar, daar hij de eerste diensttijd reeds achter de rug heeft. De opleiding, die hij volgens de aantekeningen ontvangt, bestaat uit herhalingsoefeningen.

Over het beroep en de schoolopleiding wordt in de aantekeningen niets gemeld. Vermoedelijk heeft de schrijver het meest voor de hand

liggende beroep van landbouwer, want zijn eerste interesse na aankomst op Java gaat uit naar de rijst. Zijn ontwikkeling gaat zeker niet het lagere school peil te boven, dit blijkt uit de aantekeningen.

De landaard.

HOEWEL in principe mag worden aangenomen, dat de schrijver een Japanner, geboortig in Japan is, doen enkele feiten dit betwijfelen. Hiervoor moet teruggegrepen worden naar enkele gebeurtenissen voor de oorlog voor zover deze bekend zijn. Bij de oorlogsvoorbereiding van Japan behoorde n.l. ook het assimileren van de Aziatische vreemdelingen in Japan met den Japanner. In Japan woonden n.l. grote groepen Chinezen, Koreanen en ook Formosanen, meest in afzonderlijke wijken, die als lagere volksgroepen werden beschouwd, doch het Japanse burgerschap bezaten. In het mensenmateriaal voor de komende oorlog moesten deze ook ingeschakeld worden en teneinde de verschillen in de militaire eenheden, waardoor de discipline bemoeilijkt wordt, te doen wegvallen is men er toe overgegaan al deze vreemdelingen Japanse namen te geven. Dit is grondig gebeurd, zodat reeds in 1938 en 1939 gehele families andere namen ontvingen. Later is dit voor geheel Korea en Formosa ook doorgevoerd, met deze restrictie, dat de autochtone bevolking van Formosa hieronder niet begre-

pen werd¹⁾. Hoewel hierover nog zeer weinig materiaal aanwezig is, mag wel aangenomen worden, dat vooral de koloniale volkeren, zoals de Koreanen en Formosanen, die gang van zaken met dankbaarheid hebben geaccepteerd, hopen uit hun pariaschap verlost te worden. Bij de naamsverandering kreeg, voor zover bekend, iedere familie een naam toegewezen; de persoonsnamen mochten de families dan zelf uitzoeken. Hierbij werd dikwijls vastgehouden aan de oude naam, omdat in het oosten een groot gewicht wordt gehecht aan de naamsgeving en een verandering hierin slechts voor afweer van onheil plaats vindt. Hoewel hierop niet dieper kan worden ingegaan, blijkt wel, dat men met de naamsverandering niet te ver kon gaan. Vooral de ouderen, die reeds een vaste naam in dit leven bezaten, verwerkten deze in de persoonsnamen en zo werden Koreanen opgemerkt met in het Japans vertaalde Chinese (of Koreaanse) namen.

Wanneer men de naam van de schrijver ziet, valt het typisch onjapanse van zijn persoonsnaam op. De familienaam, Kumada is een algemene Japanse familienaam. Zijn persoonsnaam Hayashinotoshi, Chinees Lin Chin Chi, is typisch Chinees of Koreaans. Ook zijn jongere broertje Hayashisa, Chinees Lin Chai, en zijn jongere zuster Hanako Hayashiya, Chinees Lin Pa met het Japanse toevoegsel Hanako, bloem, geven aan, dat de vroegere (Chinees of Koreaanse) familienaam Lin of Rin geweest is en dat de schrijver van Chinese of Koreaanse origine is. Dit verklaart ook de gebondenheid aan de oude tijdrekening en het vreemd staan tegenover alles wat zuiver Japans is, zoals uit verschillende passages blijkt. De Koreaanse groepen in Japan leefden als afgescheidenen en hadden als groep weinig contact met de eigenlijke Japanners. Uit dit oogpunt bezien is de dagboekantekening op 15 Februari wel opmerkelijk. De (Japanse) officieren trokken zich van het Nieuwjaar oude stijl niets aan en lieten de oefeningen van die dag doorgaan. Alleen 's avonds werd toegegeven en werd de bevolen dienst afgelast. Uit de aantekening wordt de indruk verkregen, dat het gehele onderdeel met uitzondering van de officieren, uit niet-Japanners bestaat. Dit zou ook een bevestiging vinden in de aantekening op 14 Jan.: „Op de 16e a.s worden wij een compagnie onder de Japanse vlag”.

De schrijver t.o.v. zijn geboortegrond en de familie.

IN verschillende aantekeningen typeert de schrijver zijn verhouding tot de geboortegrond en zijn familie. Op 1 December komt dit het sterkst tot uiting, n.l. in het afscheid van de familie en kennissen. Hoewel de stijl en wijze van uitdrukken typisch Oosters zijn, treedt het menselijk element hierin het best naar voren. De verhouding tot zijn vader en moeder, die zich in eerbied behoort te uiten, en de verhouding tot zijn jongere zuster, waarin het gevoel van eerbied van jongere tegenover oudere verdwijnt door de omstandigheden, komen hierbij goed uit. De in het Oosten zo belangrijke vormendienst vervaagt voor het werkelijke leven.

¹⁾ Op Formosa was de koloniale politiek van Japan er op gericht, de autochtone bevolking volledig af te sluiten van de overige bevolkingsgroepen (voornamelijk Chinezen). Deze autochtonen, behorende tot het Maleis-Polynesisch ras, woonden in het binnenland en mochten niet aan de kuststreken komen. Hoewel de berichten hierover zeer schaars zijn, is bekend geworden, dat er expedities op grote schaal tegen deze groep, die dikwijls op rooftocht uitging, zijn uitgerust, die grote opruiming onder deze mensen hebben gehouden. (Noot van de bewerkster).

In een van de eerste weken van de Japanse bezetting van Java werd de hiervolgende proclamatie op last van de Opperbevelhebber van het Japanse leger uitgegeven:

Sedert wij den oorlog hebben verklaard aan Engeland, Amerika en Nederland, heeft het Keizerlijke Nipponische Leger Hong Kong, de Philippijnen, Malakka, Singapore en Rangoon bezet en wel binnen den tijd van drie maanden, en thans, slechts een week na de landingen op Java, hebben alle eilanden van Nederlandsch Oost Indië zich aan ons overgegeven.

Men dient zich te realiseren, hoe wrede de Amerikaansche, Britsche en Nederlandsche regeeringen de Nipponische burgers vroeger in hun respectieve landen hebben behandeld.

Als Opperbevelhebber, die den oorlog heeft gewonnen, zou ik het recht en de macht hebben om alle Hollandsche, Amerikaansche en Engelsche burgers op Java, zelfs de meisjes en kleine kinderen, te arresteeren en in de gevangenis te zetten, indien ik dezelfde handelwijze zou willen volgen als genoemde regeeringen steeds hebben gedaan, en indien ik daartoe instructies zou geven, zou zulks gebeuren ook.

Maar ik wensch deze gedragslijn niet te volgen, want ik wensch U te doen weten, dat het Nipponische volk, hetwelk door U werd verguisd, als ware het een inferieur ras, in feite een rechtschapen, rechtvaardig en eerbiedwaardig volk is, en ook, omdat wij het niet over ons zouden kunnen verkrijgen om hard op te treden jegens degenen, die niets tegen ons hebben gedaan, dit zou in strijd zijn met onze morele opvattingen, ofschoon Uw regeeringen zulks misschien wel gerechtvaardigd zouden hebben geacht.

En ik wensch tot de Hollanders, Engelschen en Amerikanen te zeggen:

Gij dient erkentelijk te zijn voor deze houding van het Nipponische leger, maar indien gij Uw misplaatste opvattingen, zooals hierboven be-

bedoeld, niet wensch prijs te geven, en Uw houding van eigen overschatting en minachting jegens ons wensch te handhaven, zult gij in aanmerking dienen te nemen, dat er zelfs voor de goedmoedigheid van het Nipponische volk grenzen bestaan.

In het bijzonder de Hollanders dienen zich te bedenken, dat zij alle gebouwen en meubilair van de Nipponische burgers door tusschenkomst van hun regeering hebben laten verkoopen dan wel dat alles hebben laten wegstelen en stukslaan.

Indien de Hollanders denken, dat het hun natuurlijk verkregen recht is, dat zij veilig kunnen leven, zonder vrees voor hun levens en eigendommen, moeten zij als zeer zelfzuchtig worden beschouwd, en zij moeten dan maar naar hun eigen handelingen terugzien.

Al hetgeen hierboven is gezegd slaat evenzeer op de Indonesiërs en de Chinezen en nadrukkelijk moge worden gestipuleerd, dat stelen en rampassen ten strengste is verboden en dat gestolen goederen aan de rechtmatige eigenaren moeten worden teruggegeven.

Dit is mijn uitdrukkelijk bevel, maar indien gij hieraan geen gevolg wensch te geven, zult gij streng worden gestraft, wanneer wij na een gehouden onderzoek achter de waarheid komen.

Ik, als Leider van de Militaire Administratie in dit bezette gebied, verklaar hierbij eens en voorgoed, dat, indien iemand tegen onze bevelen en wenschen in handelt, hij streng zal worden gestraft, overeenkomstig de bepalingen van het Nipponische Leger.

De Opperbevelhebber van het Nipponische Leger te Soerabaja.

De verhouding tot zijn echtgenote is alleen uit menselijk oogpunt te zien: hij wilde haar, hoewel zij op het station stond, niet weerzien. Hierbij is iedere uiterlijke vorm verdwenen.

Na de oproeping wordt het contact met de familie door middel van brieven onderhouden. Van de zijde van de familie geschiedt dit zeer vormelijk door de vader, de schrijver zelf richt zich tot de afzonderlijke familieleden. Over correspondentie met zijn echtgenote spreekt hij niet. Met het vertrek uit Toyohashi op 17 Januari is alle contact met zijn familie afgelopen, doch innerlijk leeft hij geheel met de familie mee. De aantekeningen van 28 Januari, 7 en 8 Februari en de nieuwjaarsdagen oude stijl spreken voor zichzelf.

Daarna komt de schrijver onder invloed van de komende militaire gebeurtenissen, die na het vertrek uit de Camranh baai de schrijver overweldigden en uit zijn dagboekantekeningen verdwijnt de familie. Toch staat nog zelfs in de laatste aantekening die van 9 Maart, „Oud de 24ste”.

De schrijver in het militaire leven.

DAAR de inhoud van het Japanse militaire leven duidelijk uit de aantekeningen blijkt, zal slechts op enkele punten dieper worden ingegaan. Reeds werd het Japanse militaire leven als vreemd element voor de schrijver naar voren gebracht. De beïnvloeding door het militaire systeem en de opname in de goddelijke weermacht, zoals deze in het volgende hoofdstuk zullen worden uitgewerkt, hebben echter zijn psyche gewijzigd en in de aantekeningen leeft hij als een ijverig en oprecht militair. In hoeverre schrijver comédie speelt, is moeilijk na te gaan, maar de aantekeningen geven wel de indruk, dat hij zijn persoonlijke gevoelens, voor zover dit voor iemand van zijn ontwikkeling verwacht mag worden, eerlijk naar voren brengt. Hij beschouwt de militaire dienst als een last. 23 December: „Op deze rustdag heb ik volkomen zorgeloos vrij gehad” en 1 Januari: „Sinds ik onder de wapens geroepen ben, voelde ik mij voor het eerst blij” spreken een te duidelijke taal, om er een andere uitleg aan te geven. De gehele omlijsting van het militaire fanatisme mag dan ook teruggebracht worden tot de psychische beïnvloeding van het Japanse militaire systeem. Het is geen aanstellerij, want in dat geval zou de schrijver door zijn onontwikkeld geestelijk peil hier en daar uit de toon gevallen zijn. Het enthousiasme voor de Japanse zaak spreekt van de eerste tot de laatste bladzijde. Ook het slotgedeelte van de aantekening van 4 Januari onderstreept zijn eerlijke bedoelingen. Het is interessant na te gaan, op welke wijze de beïnvloeding heeft plaats gehad. Veel wordt daarover in de aantekeningen niet gevonden. In de eerste twee dagen wordt gesproken over de militaire vlag. Deze vlag wijkt af van de nationale vlag (rode bol op een wit veld) door de rode banen, die van de bol uitgaan. Deze vlag is het symbool van de weermacht en als zodanig is het eerbiedsbetoon niet vreemd. De godsdienstige plechtigheid op 1 Januari echter is verbonden aan de militaire vlag, waaruit blijkt, dat dit symbool een diepere betekenis heeft dan een uiterlijk teken.

Een vast onderdeel van de oefeningen vormen de militaire liederen. Het kweken van saam-

PROCLAMATIE

Aan het heele Indonesische Volk

Het doel van Japan bij het uitzenden van een expeditie naar Indonesia is de grondlegging voor een gemeenschappelijk bestaan en gemeenschappelijke welvaart van het Indonesische Volk te zamen met het Japansche, gebaseerd op het beginsel van gemeenschappelijke verdediging van Groot Azië en tegelijkertijd het streven naar bevordering van het geluk en welzijn van de Indonesische massa's, die dezelfde voorvaderen hebben en van hetzelfde ras zijn als het Japansche Volk, door omverwerping van het voormalig regiem, dat gehandeld heeft onder invloed en pressie van Amerika en Brittannië, zodoende een einde makende aan de eeuwenoude onderdrukking van het Indonesische Volk.

Het Indonesische Volk dient zich terdege rekenschap te geven van het bovenstaande en onmiddellijk samen te werken met Japan.

De Japansche Strijdkrachten hebben een zeer strict militaire discipline en nooit hebben ze gefaald deze te handhaven, zoodat de goedgezinde bevolking kan rekenen op goede behandeling en bescherming. Het volk kan gerustelijk zijn gewone werkzaamheden voortzetten, doch zij, die ons tegenwerken of onze maatregelen overtreden, zullen zwaar gestraft worden volgens militaire wetten en reglementen.

DE BEVELHEBBER DER JAPANSCHES STRIJDKRACHTEN

Een van de eerste Japanse proclamaties, die in het toenmalig Batavia aangeplakt werden.

horigheidsgevoel door het gezamenlijke lied is bekend.

Meer intensief is de beïnvloeding door het Edict en de Voorschriften op het slagveld. In de aantekeningen wordt op 4 December het Edict voorgelezen en dit geeft de schrijver aanleiding tot een verdere ontboezeming. De betekenis van deze uitlating is, dat de gehele wereld onder invloed zal komen van Japan (het symbool van Japan is de rode zon). De daarna gemelde voorlezing op 8 Januari is voor hem geen reden zich verder te uiten. Uiterlijk worden ook geen reacties waargenomen op de dagelijkse voorlezing van het Edict en de voorschriften op het slagveld na het vertrek uit de Camranh baai op 18 Februari. Het is wel typerend voor de doelbewuste beïnvloeding van de weermacht door de Japanse machthebbers, dat zij deze toch niet zeer korte geschriften dagelijks lieten voorlezen. Hierdoor verkregen zij een soort extatische toestand bij de troepen, die toch zeker voor een deel uit niet-Japanners bestonden. Dat deze toestand zich individueel niet of zeer weinig uit, zal straks duidelijk worden. Een hoerastemming wordt in de dagen

van 18 Februari tot de landing niet gevonden, wel het begrip van collectiviteit en gebondenheid.

HIERMEDE zijn, naar het voorkomt, het dagboek en de aantekeningen voldoende belicht om een indruk te geven van een eenvoudig soldaat, zoals deze bij de veroveringstocht naar het Zuiden werd medegezonden. Het is geen held en ook geen wreedaard, want dit is de verdienste van de aantekeningen, dat zij ons een beeld geven van een inwoner van Japan uit de lagere klassen, ontdaan van de aankleding van het Japanse uiterlijk militarisme. De drijfveren van de militaire machthebbers zijn hem volkomen vreemd, hij is een lid van de weermachtsgroep, zoals deze hierna zal worden aangegeven.

Een algemene opmerking over het dagboek mag hier niet ontbreken. Opvallend is de geringe security-mindedness van Japan, de openlijke behandeling van wat men in andere legers geheim houdt, welke uit het dagboek spreekt. De schrijver heeft op 9 Januari les in de Maleise taal, wist dus toen reeds, dat hij naar de Zuidelijke Pacific zou gaan, terwijl hij toch nog

in garnizoen in Japan was. Op 14 Januari vernoot de schrijver officieel, dat hij op 16 Januari naar Hiroshima zal vertrekken om op transport te vertrekken. Op 27 Januari weet de schrijver mede te delen, dat hij bij Formosa de helft van de weg naar het doel heeft afgelegd. Op 3 Februari vermeldt hij als land van bestemming Java. Zelfs de plaats van landing weet hij op 4 Februari te noemen! Deze voorbeelden kunnen nog met vele andere worden aangevuld. De mogelijkheid van het uitlekken van dergelijke militaire geheimen is zeer groot, vooral daar schrijver daarna op verscheidene plaatsen aan land is geweest. Spionnen zouden geen moeilijkheden hebben, deze zaken te weten te komen. De anti-spionnen actie heeft dus blijkbaar in die dagen slecht gewerkt.

De psychologische achtergrond.

HET Japanse militaire systeem had een zeer sterk psychologische basis. Bekend zijn de zelfmoordafdelingen, de levende kogels, het vechten tot de laatste man van afdelingen,

welke uitingen zich grondde op bepaalde opvattingen in de Japanse weermacht, die door de machthebbers doelbewust in de opbouw van de weermacht waren verwerkt. De bewerking van de volksziel geschiedde niet op Duitse of algemeen Westerse wijze door mondelinge of schriftelijke propaganda, door het verdedigen van bepaalde stellingen of door dwang en presie, dus in het algemeen niet door beïnvloeding van het individu van buiten af, waarbij de innerlijke mens in vrijheid die beïnvloeding kon opnemen of weigeren, neen, de Japanse methode richtte zich op de volksziel zelf, vormde en verwerkte de godsdienstige gevoelens die in het volk leefden tot het bereiken van de eigen doelstellingen. Het is niet te veel gezegd, dat de militaire machthebbers een bijbel maakten voor eigen gebruik, de godsdienstige gevoelens van het volk gebruikten voor eigen doeleinden en zich op Oosterse wijze bedienden van bovenzinnelijke krachten, om Japan een vooraanstaande positie in de wereld te doen innemen. Op het oog moge dit vreemd voor de Westerling klinken, bij nadere bestudering is de hierboven genoemde conclusie gewettigd.

Het Keizerlijk Edict.

DE kern van het Japanse militarisme is neergelegd in het Keizerlijk Edict van 4 Januari 1882. Naderhand zijn verschillende toelichtingen op het Edict verschenen, maar voor de oorlog van 1941-1945 is de door de toen aan het bewind zijnde Minister van Oorlog Tojo Hideki uitgevaardigde toelichting, uitgegeven onder de titel „Voorschriften op het slagveld”, in ieder geval het belangrijkste. Beide stukken zijn opgenomen in het „Dagboek voor de militair te velde”. Zij vormen tezamen het gehele godsdienstige leven van de militair, en het is onmogelijk zich een andere godsdienst hiernaast in te denken. De gegeven regels en voorschriften absorberen de gehele menselijke psyche en laten geen ruimte voor afwijkende begrippen. Mocht men menen, dat de eenvoudige, onontwikkelde soldaat van deze filosofie geen begrip heeft, dan is dit enerzijds waar, maar anderzijds is het een miskenning van de Oosterse denkwijze, die niet critisch idee voor idee opbouwt, maar in zijn groep — het doet niet terzake of dit de familie-, dorps- of militaire groep is — de ideeën opneemt en verwerkt. De kern van het Japanse (en in het algemeen het Oosterse) denken wordt niet gevonden, in het individu, maar in de groep. Het individu denkt niet in zichzelf maar in de groep, leeft niet in zichzelf, maar in de groep. Dit is de quintessens van de mentale kosmos van Japan. Zonder begrip hiervoor zal het Westers individualistische denken steeds bij de bestudering van het hiernavolgende voor de grootste moeilijkheden komen. Dit, overigens onbewuste, denken in de groep en leven in de groep wordt in het Westen in verzwakte en eenzijdige vorm gevonden in het provincialisme, mits men dit stelt in zijn zuivere vorm, aangezien het reeds lange jaren doorbroken is door het nationalisme en internationalisme.

HET is uiteraard zeer moeilijk, in een klein bestek de verschillende begrippen die in de Japanse tekst voorkomen, in voldoende duidelijke bewoordingen weer te geven. Het geheel is volgens strenge regels opgesteld; de bedoeling is geweest in het raam van deze regels het geheel der menselijke krachten te binden. Te beginnen met de goddelijke krachten richten de Voorschriften zich langs de mens en het aardse naar de harmonie van de omgeving met het innerlijk en van het innerlijk met omgeving. Hiermede is een harmonische krachtbron van de weermacht opgesteld, waarvan men de top prestaties van groepen en individuen meende te mogen verwachten. De resultaten zijn bekend. De morele deugden, wel te verstaan de morele deugden zoals deze in de Voorschriften zijn vermeld, waren tot de hoogste graad opgevoerd. De exponenten werden gevonden in de zelfmoordafdelingen en levende bommen, maar ook in de afwijzing van ieder godsdienstig, sociaal en economisch probleem, dat niet op Japanse wijze werd opgelost, want buiten het harmonieuze geheel, zoals de Japanner dit voelde, bestonden voor hem slechts foutieve afwijkingen, die door strijd of dwang in de harmonie moesten worden opgenomen. Nogmaals zij er de nadruk op gelegd, dat de eenvoudige soldaat van deze problemen geen besef had, hij was slechts een heel gering deel van het

Wellevendheid bevolen!

Toen het Japanse gezag op Java enkele maanden oud was, werd o.a. in Bandoeng een bekendmaking uitgegeven, waarin aan de Europese ingezetenen voorschriften gegeven werden, hoe zij zich in het openbaar te gedragen hadden. Deze richtlijnen golden niet voor Duitsers en Italianen. De Nederlandse tekst van de bekendmaking drukken wij hieronder af.

BEKENDMAKING

in opdracht van de Nipponische overheid aan alle Europeesche ingezetenen, de Indo-Europeanen inbegrepen, in de Priangan Syu. (Uitgezonderd de „AS” Nationaliteiten)

1 Van alle Europeesche ingezetenen, behorende tot bovenvermelde groep, wordt verwacht, dat zij als behorende tot een overwonnen volk, eerbied betoonen aan Dai Nippon, in het bijzonder aan het Nipponische leger.

2 De ondervolgende regels moeten door hen in acht worden genomen:

a Alle regelen van wellevendheid moeten strikt worden nagevolgd. Een provocerende uitdagende houding is ontoelaatbaar.

b Het is toegestaan de woningen te verlaten, echter alleen in noodzakelijke gevallen, als dagelijksche inkoop voor de huishouding, doktersbezoek, e.d.

In alle andere gevallen wordt het gewenscht geoordeeld thuis te blijven.

Men moet zich steeds netjes gedragen, geen burengerucht veroorzaken en niet zondigen tegen de regels der wellevendheid.

3 Het in lid 2 sub. a vermelde mag niet worden overtreden, als men zich op straat begeeft.

In het bijzonder in restaurants, café's en andere openbare gelegenheden is het niet geoorloofd luidruchtigheid te betoonen of onnoodige drukte te veroorzaken.

Zij die zich hieraan schuldig maken zullen worden verplicht, de registratiegelden van de armere Europeanen, die daaraan niet kunnen voldoen, te betalen op de basis van onderling hulpbetoon.

4 Overal buitenshuis, op elk uur van den dag hoort aan de Nipponische militairen — ongeacht rang — eerbied te worden betoond door bij ontmoeting een buiging te maken.

5 Het is dames niet geoorloofd „slacks, shorts” e.d. en alles wat zweemt naar imitatie kleding van mannen te dragen.

Teneinde strenge maatregelen te voorkomen, verwachten de Nipponische autoriteiten een stipte opvolging van bovenstaande regels.

Priangan Syutyō,

R. A. A. WIRANATAKOESOMAH

grote werktuig, maar zelfs in dit geringe deel leefde de verbondenheid met het grote geheel.

Het is algemeen bekend, dat de uitvoering van de bepalingen in dit voorschrift in geen enkel opzicht overeenkwam met de daarin gegeven richtlijnen. Zo is bijv. in punt g van de Instructies in Voorschrift III bepaald, dat: „Een ieder de onschuldige bevolking met grootmoedige goedwillendheid liefderijk (behoort) te beschermen”, van welke theorie de praktijk een volkomen aanfluiting was. Het optreden tegen de bevolking, ook tegenover de niet-Europeaan, de jongere broeder, zoals de Japanner de Indonesiër gaarne noemde, was zodanig, dat van terreur kan worden gesproken.

In de eerste plaats moet echter bij de beoordeling van de uitvoering van een zodanig Japans stuk de totale doelstelling in het oog worden gehouden. De vraag luidt steeds: welke was de bedoeling, die de opsteller voor ogen stond. Deze vraag is, wat de Voorschriften betreft, hiervoor behandeld. De bedoeling was de harmonie in de weermacht tot stand te brengen en hiervoor werd een aantal regels opgesteld. Het feit, dat die werden opgesteld en meditatief toegepast, betekende voor de Japanner, dat de uitvoering gewaarborgd was. Het is hier niet de plaats om deze denkwijze uitgebreid te behandelen, alleen zij hieraan toegevoegd, dat een eenzijdige doelstelling vaak bij Japanse maatregelen naar voren trad en dit bij ondergeschikten tot grote verwarring aanleiding gaf.

Een tweede punt zijn de verhoudingen bij het volk zelf. Voor de beoordeling is het noodzakelijk te weten, hoe bijvoorbeeld de Japanner de grootmoedige welwillendheid en liefderijkheid opvatte. Een volk handelt tenslotte volgens de in het land levende begrippen en het is voor een beoordeling van maatregelen niet noodzakelijk, het goed of kwaad van een begrip vast te leggen. Er mag bekend worden verondersteld, dat de discipline in de Japanse weermacht gebaseerd was op de lichamelijke tuchting. Ieder vermeend of werkelijk vergrijp werd onmiddellijk afgedaan met een tuchting. Deze beschouwde men niet als een straf, doch alleen als disciplinaire maatregel, die tevens dienstbaar was gemaakt aan de harding van de militair. Deze maatregelen waren voor de Japanner normaal en hij van zijn zijde paste deze toe, waar hij de meerdere was, dus tegenover ondergeschikte militairen en ook tegenover de bevolking. Hierin is uit Japans oogpunt geen tegenspraak te vinden met grootmoedigheid of liefderijkheid, deze laatste begrippen stonden geheel afzonderlijk en werden door speciale maatregelen ten uitvoer gelegd.

Hiermede is de Japanse houding en denkwijze voldoende belicht, om een indruk te geven van enkele oorzaken van de tegenstrijdigheden, die een ieder, die met de Japanner in aanraking is gekomen, onmiddellijk is opgevallen. Nadrukkelijk zij er op gewezen, dat het onjuiste van de Japanse denkwijze hierbij geen punt van beoordeling heeft uitgemaakt. Een morele oordeelvelling behoort in een ander verband thuis.



Op 16 November 1940, 2600ste verjaardag van de mythische stichting van het Japanse Keizerrijk nam Keizer Hirohito (op wit paard gezeten) bij Tokio aan zijn troepen parade af.

De tekst van het dagboek

Het 16e jaar van Showa (1941)

1 December Maandag.

Helder weer. — 's Morgens om vijf uur opgestaan. De dag, waarop gewacht is, is tenslotte genaderd. Om half acht marcheerde onze compagnie, die voor de barak aangetreden stond, opgewekt, onder de militaire vlag achter de militaire ambtenaren van Wakamatsu af. Wij gingen met de afdelingscommandant aan het hoofd met forse tred naar het station Wakamatsu. Om 8.20 uur stapten wij in de trein. Onderweg heeft de dorpsbevolking, die wist, dat onze compagnie naar het front ging, ons met vlaggen in de hand uitgeleide gedaan. Tenslotte ging de trein voorwaarts en bereikte Koriyama. Toen wij bij het dichtbij mijn geboortedorp gelegen station Izumiyori aankwamen, kwamen mijn ouders en familieleden, die lekkere koekjes en vruchten hadden meegenomen, mij opzoeken. Ik was door dit onverwachte bezoek uiteraard blij. Mijn geëerbiedigde moeder liet de tranen vloeien. Mijn jongere broer Hayashisa met zijn kleine postuur, die mij uitgeleide deed, zette een verdrietig gezicht. Zonder dat er veel gesproken werd, waren de veertig minuten om. De trein reed naar Kudano. Bij het station kwam mijn jongere zuster Hanako Hayashiya mij opzoeken. Terwijl zij mij als oudere broer de eerbewijzen gaf, begrepen wij de verhouding van broer en zuster en ik zag grote tranen vloeien. Ik keek naar haar, zolang haar gestalte te zien was. Na een tijdje bereikten wij het station Shirakawa. Mijnheer Han van Kuranosuke achter ons kwam mij opzoeken. Op het station Kunisaka kwam mijn vrouw met de anderen. Mischien was dit een afscheid voor altijd, maar ik kwam niet naar buiten.

2 December Dinsdag.

Helder weer. — Een tijd later werd het langzamerhand licht. Terwijl ik met mijn oorlogsmakkers praatte, ben ik te Shinagawa even in slaap gevallen.

Toen ik wakker werd, waren we in Toyohashi. Op de klok kijkend was het kwart over zes. Voor het station aangetreden, deden wij eerbewijzen voor de militaire vlag. Wij werden met auto's naar de barakken van de Shashi-magazijnen vervoerd. De mensen die eerder vertrokken waren, dienden buiten als gids voor onze behuizing. De uitrusting werd netjes neergelegd en 's middags binnen en buiten de barak geveegd. Met ons allen in vereniging hebben wij de barak keurig netjes schoon gemaakt. Om vijf uur even rust en het klaarmaken van de maaltijd geregeld. Vanavond slaperig door de inspanning van gisterennacht.

3 December Woensdag.

Helder weer. — Van vandaag af is de reveille om half zeven. Na het appèl gingen wij onder commando van de groepscommandant naar het oefenterrein. Achter elkaar looppas gedaan. Het Shashi oefenterrein is van het oefenterrein van de barakken van de Oshima-magazijnen ongeveer drie kilometer verwijderd. Teruggaand militaire liederen gezongen. Na terugkeer hebben wij in de ochtend de was gedaan. 's Middags weer corvée gedaan. We hebben het plein voor de keuken schoongeveegd, de goot van de wasplaatsen uitgediept, enz. Vandaag is één dag voorbij. Vanavond onder mijnheer de groepscommandant militaire liederen gezongen. Om 7.40 uur teruggegaan.

4 December Donderdag.

Helder weer. — 's Morgens om half zeven reveille. Voor de barak werd het appèl afgenomen. Daarna naar het oefenterrein gegaan, alwaar de plechtigheid van de voorlezing van het Keizerlijk Edict werd gehouden, onder leiding van mijnheer de afdelingscommandant. Het is nu een tijdstip, dat de zon rood zal schijnen over de wijde wereld. Nadat de plechtigheid van het voorlezen was beëindigd, deden alle secties gezamenlijk lichaams oefeningen. Ik werd als voorwerker aangewezen, maar daar ik de gymnastiekcommando's niet goed kon uitvoeren, wees mijnheer de groepscommandant iemand van Akuzu

Op 22 April 1942 verscheen in de Indische bladen de volgende bekendmaking, waarin voorschriften gegeven werden voor eerbewijzen aan Japanse soldaten:

Wanneer men een Japans soldaat, die op wacht staat, voorbijgaat, groet men door het hoofd te buigen. Heeft men een hoed op, dan moet men deze afnemen; wanneer men echter een hoofddoek of kopiah (inheems mutsje) op heeft, is het voldoende het hoofd te buigen. Voor vrouwen, onverschillig of zij een hoed dragen of niet, is het voldoende dat zij het hoofd buigen. Fietsers moeten bij een ontmoeting met een schildwacht, die een bajonet op het geweer heeft, afstappen en de groet brengen. Om vergissingen te voorkomen is het aan te raden om de schildwachters, die geen bajonet op het geweer hebben, dezelfde eerbewijzen te brengen. Men mag niet groeten door te salueren, daar het salueren een militaire groet is.

Het bovenstaande is niet verplichtend, doch in Japan is het gewoonte om deze regels in acht te nemen. Vooral waar deze schildwachters zorgen voor de veiligheid van de bevolking is het niet meer dan billijk, dat men ze zo groet.

aan. Ik was in de put. In de morgenuren het kantoor aangeveegd. 's Middags de binnenomtrek van de barak schoongeveegd. Om 16.00 uur theorie van mijnheer de tweede luitenant Tsukahara. Vanavond naar het dagverblijf gegaan en mijn buik volgegeten. Lekker. . .

5 December Vrijdag.

Helder weer. — Om half zeven opgestaan. De barakken in de Shashi-magazijnen van Toyohashi verschillen volkomen van mijn geboortedorp Samatsu. Het temperatuursverschil is het grootst in December, ik voel de kou helemaal niet. Tot 9.00 uur schoonmaken van de uitrusting, daarna binneninspectie van de compagnie. 's Middags was er binneninspectie van het bataljon. Om 13.00 uur aangetreden. Om 15.00 uur waren alle afdelingscommandanten op het plein aan de kant van de Oostpoort aan het wenken geven. Daarna werden door mijnheer de bataljonscommandant instructies gegeven over details ten aanzien van de binnendienst.

6 December Zaterdag.

Bewolkt. — Om half zeven opgestaan. Met het oog op de binneninspectie door de commandant van de gehele afdeling, hebben bij alle compagnieën de mensen zich na het appèl ingespannen om de groep schoon te vegen. Om 10.00 uur aangetreden voor de barak. Naar Kawahara gegaan en zand gebracht. Dit op het terrein uitgespreid. 's Middags inspectie van de commandant van de gehele afdeling. Om 15.00 uur de was gedaan. Begonnen met het klaarmaken van eten. Vanavond heb ik de bewakingsregels van de wacht opgeschreven. Ik ben naar het dagverblijf gegaan en heb voor yen 1.50 vruchten gekocht. Hiervan aan de oorlogsmakkers gegeven.

7 December Zondag.

Helder weer. — Om half zes uit bed. Ik ben een uur voor de oorlogsmakkers opgestaan; naar het oefenterrein gegaan en ademhalingsoefeningen gedaan. Tot half zeven de transpiratie laten stromen. Om negen uur lichamenlijk onderzoek. Om 9.40 uur voor de barak aangetreden en naar Kawahara gegaan. De was gedaan. Bij terugkeer 's middags onder leiding uitgegaan. De stad Toyohashi bekeken. Voor het gemeentehuis van Toyohashi gerust. Om half drie gingen wij via het station terug naar de Shashi magazijn-barakken. Daarna mijn bed opgemaakt, rijst gegeten en de was gedaan. Na het eten voor 50 sen koffie gedronken.

8 December Maandag.

Helder weer. Koude nevel. — Om half zeven reveille. Na het appèl met de gehele commandogroep oefen-

ningen in het doorgeven van commando's. Om negen uur teruggekeerd. In de ochtend de barak schoongeveegd. Om elf uur met mijnheer de korporaal Isaki naar het oefenterrein en oefeningen in het doorgeven van commando's. 's Middags om 13.00 uur hield Zijne Excellentie de Brigade-commandant binneninspectie. Vandaag is er nieuws. Oorlogsverklaring tussen Japan en Amerika. Onze weermacht heeft Hawaï bezet, is Tailand binnengedrongen en in een gedeelte van Nederlandsch-Indië hebben onze broeders van de Landmacht een landing uitgevoerd. Onze taak wordt steeds belangrijker. Vanavond was er luchtbescherming in een werkelijke oorlog. Voor het keizerrijk is zo langzamerhand het tijdstip van militaire ontplooiing aangebroken.

9 December Dinsdag.

Regen. — Om half zeven opgestaan. De regen valt. Naar het officiersverblijf gegaan en de bedden opgemaakt. In de ochtend de kleding en uitrusting schoongemaakt. In de middag hebben wij het nieuws van de Japans-Amerikaanse oorlog in detail gehoord van mijnheer de afdelingscommandant. Om drie uur de particuliere goederen in orde gebracht. De was gedaan. Om vijf uur mijn bed opgemaakt en rijst gegeten. Vanavond werd in de eerste sectie een voorstelling gegeven. Onder de velen zijn er een groot aantal mensen, die goed kunnen zingen.

10 December Woensdag.

Helder weer. — Appèl in de groep. Om half negen gewapend aangetreden. De seinvlaggen meegenomen. Naar het dorp Roshin gegaan en geoefend met de seinvlaggen. Het dorp Roshin ligt aan de zee kust en is werkelijk een prachtig gelegen plaats. Vandaag zijn de golven wild. Dit is het werk van die grote golven van de Stille Oceaan. Onderweg twee maal gerust. We zijn om elf uur met de elektrische tram van het Roshin station naar het Shashistation teruggekeerd. 's Middags waren wij bij de afdeling luchtdoelgeschut de 2e bewakingsgroep. Om acht uur aan het werk in verband met alarm. Nadat om negen uur de alarmtoestand geëindigd was, naar bed gegaan.

11 December Donderdag.

Bewolkt. Warme wind. — Om half zeven reveille. Na het appèl op het Shashi-oefenterrein verbindingsoefeningen. Om acht uur teruggekeerd. Om negen uur met de gehele commandogroep onder bevel van mijnheer de sergeant-majoor verbindingsoefeningen. De oefening werd gehouden, terwijl wij acht kilometer liepen. 's Middags teruggekeerd naar de vastgestelde plaats van de bataljons-onderwijs-oefening. Een wedstrijd in bajonetvechten gehouden. Mijn ploeg was slecht. Wij maakten geen twee punten, het spijt mij erg, maar ik had wel gedacht, dat wij niet goed waren. Om drie uur looppas, heen en terug naar de stad. Daarna de was gedaan en mijn haren laten knippen. Gegeten.

12 December Vrijdag.

Hevige wind. Koud. — 's Morgens om acht uur aangetreden. Vandaag was er bataljons-onderwijs oefening. Het Shashi oefenterrein is werkelijk een uitgestrektheid en de lengte ervan bedraagt ongeveer twaalf kilometer. Op dit plein hebben wij tussen de versterkingen oefeningen in het maken van loopgraven gedaan. Om 11.20 uur was de bataljons-oefening afgelopen en teruggegaan. 's Middags, omdat er inspectie over de uitrusting gehouden zou worden, tot drie uur schoonmaken van de uitrusting. Daarna aangetreden voor de barak. Er was inspectie door de afdelingscommandant. Mijn schoonmaken was goed geweest, ik was erg blij.

13 December Zaterdag.

Bewolkt. — Reveille en na het appèl lichaams-oefeningen. Na het eten hebben wij vandaag inspectie over de regimentsuitrusting gehad. Daarna werd door de verschillende verantwoordelijke personen de kazerne keurig netjes in orde gebracht. Om half twaalf was het afgelopen. 's Middags, met uitzondering van aangewezen personen, onder commando van mijnheer de groepcommandant Sakawa lichaams-oefeningen en looppas, waarbij naar de ongeveer zes kilometer verder wonende mijnheer Iwao Kensha gegaan en respect betuigd. Terug ook looppas.

14 December Zondag.

Helder weer. — Reveille. Na het appèl lichaams-oefeningen gedaan. Vandaag geen Zondagse dienst gehouden. Met de gehele commandogroep vertrokken voor verbindingsoefeningen. Een uur op het oefenterrein. Daarna naar Tokaido gewandeld. In het binnenland zijn goede wegen om te wandelen. Naar de diertuin van Toyohashi gegaan. Voor het eerst van mijn leven zoveel dieren gezien. Onderweg voor ongeveer 2 yen koekjes gekocht. Gezamenlijk met de oorlogsmakkers gerust en gegeten. Daar er geen tijd meer was om terug te gaan, met de elektrische tram teruggekeerd. In de middag binnen de poort studie van de verbindingsoefeningen. Om half vier in het bad en de was gedaan. Het dagboek ingeschreven, appèl en naar bed.

15 December Maandag.

Zware regen. — Daar het om half zeven bij het opstaan hevige regende, werd in de groep appèl gehouden. Omdat mijnheer de divisiecommandant vandaag inspectie in de barak zou houden, beijverde iedereen zich om de barak schoon te vegen. Om elf uur van mijnheer de afdelingscommandant de Oost-Aziatische oorlogstoestand vernomen. Daarna gaf hij wenken over het gereed zijn voor het slagveld. 's Middags heb ik enthousiast de verbindingswerkzaamheden uitgevoerd, maar wat beviel ik nog weinig! Om drie uur hield de regen op. Op het plein voorlichting ontvangen van degene, die belast was met ontspanning. Om vier uur in het bad.

16 December Dinsdag.

Helder weer. — Om half zeven reveille. Daar he vandaag Zondagse dienst is, is de buitencompagnie naar de bioscoop gegaan. Onze compagnie heeft in verband met de kamerinspectie van mijnheer de commandant van de Afdeling Uitrustingen, de uitrusting schoongemaakt. Degenen, die het onderscheidingsteken van soldaat eerste klasse hadden, lichaams-oefeningen. Op het oefenterrein standaard-oefeningen uitgevoerd. Evenwel, wij kenden de wijze van commanderen niet, waarvoor wij ernstig berispt werden. 's Middags bij het dagverblijf lichaams-oefeningen en spel. Om 15.00 uur teruggekomen. Wanneer ik op de werkuren van vandaag terugzie, ben ik niet waard om op eigen gelegenheid te eten en te drinken.

17 December Woensdag.

Bewolkt. — 's Morgens om acht uur voor de barak aangetreden en naar de school voor reserve kader te Toyohashi gegaan. Er werd theorie gegeven over de misdrijven en krijgswetten nadat wij naar het oorlogsterrein zullen zijn gegaan. Om elf uur afgelopen en naar de kazerne terug. 's Middags bataljons-oefening. Om 13.00 uur aangetreden. In de streek van Wakamatsu, waar men door de terreinvorm niets kan zien, hebben wij een oefening van het werkelijk gevecht gehouden. Om 17.00 uur naar de kazerne teruggegaan. Druk bezig geweest met het klaar maken van het eten. In het bad. Schoonmaken van de uitrusting enz.

18 December Donderdag.

Om half zeven reveille en na het appèl degenen, die het onderscheidingsteken van soldaat 1e klasse hebben in gymnastiekleding looppas tot de diertuin van Toyohashi. Om 8.15 uur terug. In de ochtend theorie van mijnheer de afdelingscommandant, waarbij hij zeide, dat men te voren nooit gesteld wordt tegenover die feiten, die betrekking hebben op de gevoelens en misdrijven, die men op het te verwachten oorlogsterrein vindt. 's Middags schoonmaken van de kleding. De berg bij de wasplaats gewassen. Verder alle overige kleding hersteld. Voor morgen is kledinginspectie bepaald. Vanavond drie paar sokken gewassen, waarna ik een brief naar mijn geboortedorp schrijf.

19 December Vrijdag.

Helder weer. — Reveille en vandaag na het appèl kledinginspectie. Na het ontbijt de kleding netjes gelegd. Om negen uur hadden wij inspectie. De compagnie was goed. Om tien uur vertrokken voor verbindingsoefening. In de middag gerust. 's Middags om 18.00 uur vertrokken voor een nachtelijke oefening. Positie innemende in Shichihonmatsu, moest iedere sectie op grond van de berichten van de in de

nabijheid geplaatste posten, een vijandelijke stelling in de richting van Omatsu en Namatsu binnendringen. Een nachtelijke aanval is erg moeilijk.

20 December Zaterdag.

Bewolkt. — Daar de reveille uitgesteld was, tot half acht in het heerlijke bed geslapen. 's Morgens kleding en uitrusting schoongemaakt. In de middag om 13.30 uur aangetreden en naar het oefenterrein gegaan. Bij Shichihonmatsu oefeningen in het seinen. Om 15.10 uur dienst van post bij een veldwachter. Onze commandogroep is uitsluitend belast met ordonnansendienst. De taak van ordonnans bij een post is buitengewoon belangrijk, dat voelde ik als werkelijkheid in mijn binnenste. Om 17.00 uur was de oefening afgelopen en teruggegaan.

21 December Zondag.

Bewolkt. — Van vijf uur af galerijwachter. Vandaag is het geen Zondag. Om 8.30 uur aangetreden voor de barak en vertrokken voor oefening. Op het oefenterrein werkzaamheden als afdeling bij luchtdoelgeschut en verder ordonnansendienst enz. verricht. Om 11.00 uur 's morgens teruggegaan naar de kazerne. Om 13.30 uur aangetreden, looppas. Onder mijnheer de korporaal Toyo ongeveer vier kilometer gelopen, een rondje gemaakt. Daarna de was gedaan. Vanavond naar het dagverblijf gegaan en heerlijke koekjes besteld.

22 December Maandag.

Bewolkt. — In verband met de hevige regen van vannacht was er binnenskamers appèl. 's Morgens in de barak oefening van de voorbereidende handelingen bij het schieten. Wij hadden theorie over de behandeling van de grendel bij het schieten. 's Middags vertrokken voor oefening in het seinen, alleen de commandogroep. Op het uitgestrekte oefenterrein Morse geoefend. Om vier uur teruggegaan. Militaire liederen zingend in de kazerne teruggekeerd. Vanavond hebben wij militaire liederen geoefend. Vóór het appèl heb ik het buitengewoon druk gehad.

23 December Dinsdag.

Bewolkt. Later helder. — Om half zeven opgestaan. Na het appèl de barak schoongeveegd. In verband met de rustdag om acht uur 's morgens aangetreden en naar het bioscooptheater *De Grootte Olifant* gegaan. Er was nieuws over de Japans-Amerikaanse oorlogsverklaring en verder zag ik allerlei interessante dingen. Om twaalf uur naar de kazerne teruggegaan. 's Middags heb ik in Arai gewandeld en ben ik met een oorlogsmakker en mijnheer de soldaat eerste klasse Sugimi met z'n drieën naar het dagverblijf gegaan en gepraat over ons geboortedorp. Wij hebben vrolijk gegeten en gedronken. Op deze rustdag van vandaag heb ik volkomen zorgeloos vrij gehad.

24 December Woensdag.

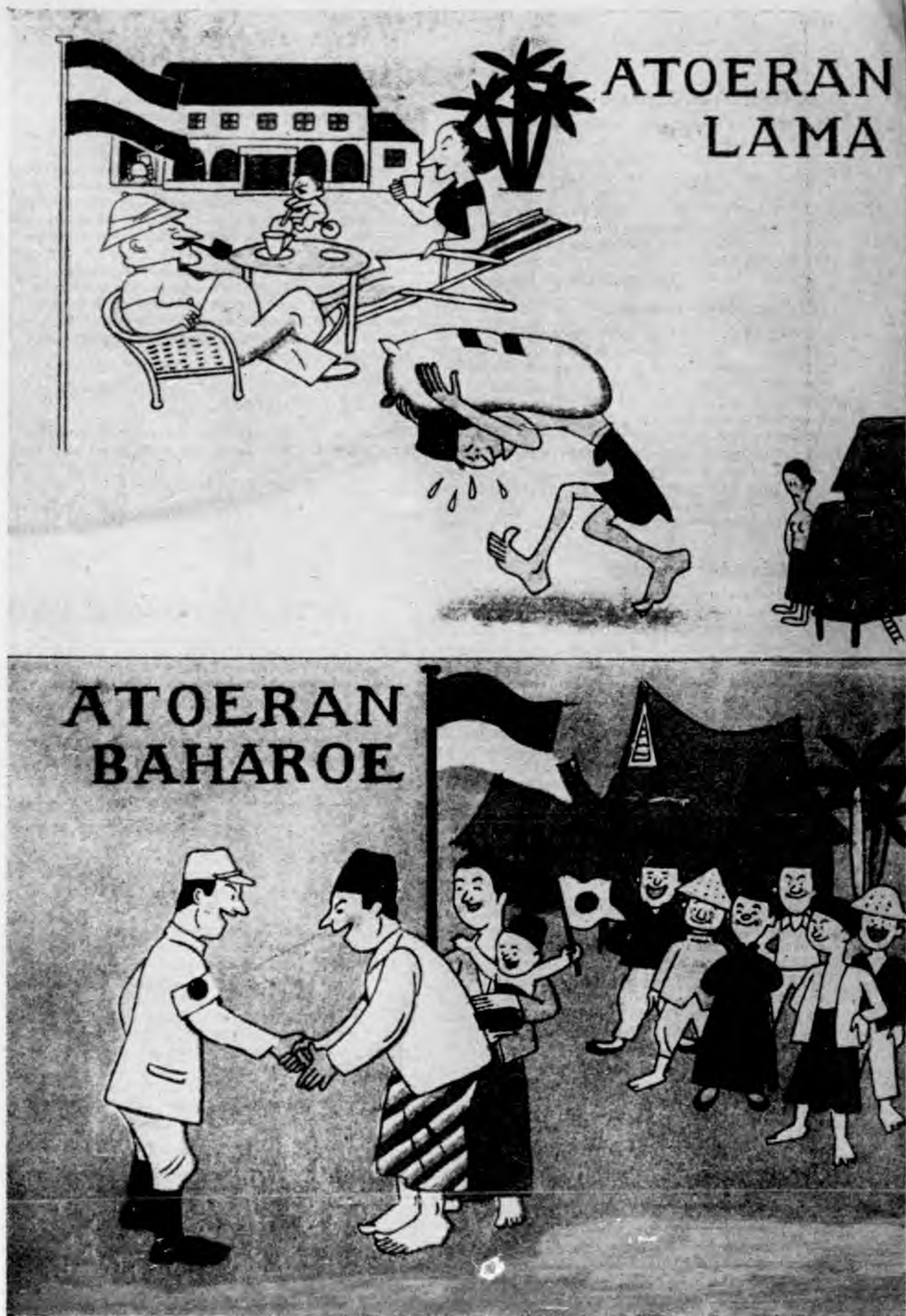
Helder weer. — In de ochtend theorie van mijnheer de compagniescommandant gehad. De mensen van de verbindingsgroep, die de ordonnansendienst doen, zijn in het bijzonder vertrouwensmensen van mijnheer de compagniescommandant en moeten in de oorlog goed werken. Om half elf oefening in het seinen. In de middag wedstrijd in bajonetscheren. Hoewel ik alles er op zette, was ik toch niet goed. Ik was geheel in de put, maar ik heb tot het laatste met volle krachtsinspanning doorgezet.

25 December Donderdag.

Bewolkt. — Om half zeven reveille en appèl. In de ochtend schoonmaken van kleding en uitrusting. De gehele commandogroep beëindigde dit om 10.30 uur. Daarna oefeningen in het seinen. 's Middags om 13.00 uur werden individuele gevechts-oefeningen gehouden. De individuele oefeningen zijn zo lastig door het aangeven van het doel. Om half vier rust. Daarna seinen. Om 16.00 uur terug naar de kazerne. Vandaag heb ik een schrijven gehad van mijn hooggeachte vader uit mijn geboortedorp. Inhoud: Mijn vrouw is ingeschreven in de registers. Mijn hooggeachte oudere zuster is bevallen. Buitengewoon blij.

26 December Vrijdag.

Regen. Later bewolkt. — 6.30 uur reveille. Wegens de regen binnenskamers appèl. De vastgestelde individuele gevechtsoefening werd afgelast. In de ochtend schoonmaken van kleding en uitrusting.



Voorbeeld van Japanse propaganda

De bovenste helft van dit vlugschrift geeft weer, hoe de Indonesiërs volgens de Japanners door de Nederlanders uitgebuit werden. Uit de onderste helft moet blijken, dat de Indonesiërs door de Japanners als broeders behandeld worden.

Daarna seinen. 's Middags de gehele omgeving in orde gebracht en particuliere goederen in orde gemaakt. Om 14.00 uur onder commando van de soldaat 1e klasse Kunino seinoefeningen gehouden. Vanavond heb ik een brief geschreven en verzonden aan mijn hooggeachte oudere zuster Tatsu.

27 December Zaterdag.

Bewolkt. — Vandaag hebben wij weer 's ochtends de kleding en militaire uitrusting schoongemaakt. Daarna oefening in het seinen. 's Middags net als 's ochtends schoonmaken van kleding en militaire

uitrusting. Dat deden we op bed en op tafeltjes. In verband met de nachtelijke oefening is er vanavond vroeg eten. Om vier uur inderhaast gegeten. Aangetreden. Het doel van vanavond is de bezetting van de stelling in het hoge terrein in de richting van Hamaikayoshi. Wij gingen om 19.00 uur in een ijzige koude en hevige wind de mars in en bij de Masaobrug werd de rivier overgetrokken. Om 20.00 uur werd de stormenderhand aangevallen stelling bezet. Daarna was er ook een achtervolgingsaanval. Wij ondervonden de gevoelens en gedachten van het werkelijk gevecht.

28 December Zondag.

Bewolkt. — Hoewel het vandaag Zondag is, is de rustdag uitgesteld tot morgen. Vanmorgen, schoonmaken van wapens en uitrusting. Het gerucht gaat, dat onlangs in de nabijheid van Formosa een landing verricht is. Werkelijk dapper. 's Middags om 13.00 uur aangetreden en met de gehele commandogroep seinen op het oefenterrein. Daarna op het 600 meter terrein achter elkaar oefeningen gedaan. Een erg langdurige oefening was dat. Buitengewoon vermoeiend. Om 16.30 uur naar de barak terug.

29 December Maandag.

Helder weer. — Vandaag is het rustdag. Na het appèl naar het oefenterrein gegaan om seinoefeningen te houden. Gezegd is, dat wij er op moeten letten, dat bij welke dienst ook de bewegingen bij het seinen op het gevechtveld niet staande uitgevoerd mogen worden. Om half elf middageten gebruikt. 's Middags ben ik naar het theater Toyohashi gegaan, er werd bioscoop vertoond. Ik heb *Avondrood op het eiland*, Japans nieuwsjournal, de Groot-Oost-Aziatische oorlog, *De ceremonie is een vreugde voor het gezin* en andere dingen gezien. Om 16.00 uur ben ik uit de bioscoop gegaan. Vandaag was de bioscoop interessant.

30 December Dinsdag.

Helder weer. — In verband met de bataljonsoefening van vandaag zijn wij na het appèl om 7.50 uur voor de barak aangetreden. Eten en al het andere moest overhaast gebeuren. Van ongeveer vier kilometer voor Shashi tot ongeveer vier kilometer voor Iwayakannyoshi achtervolgingsgevecht. Anderhalf uur hevig gevecht. Bij Eishi hebben de eigen troepen de stelling bezet. Om 13.00 uur was de oorlogstoestand beëindigd. Bij het teruggaan naar de kazerne had ik deze keer honger. Ook drie blaren, ongewone te lopen. Ik vond het een nare gedachte. Om 14.30 uur met moeite in de kazerne teruggekomen. Daarna de was gedaan, de uitrusting schoongemaakt, enz.

31 December Woensdag.

Helder weer. — Vandaag is het de laatste dag van het jaar. Na het appèl grote schoonmaak in de barak. De uitrusting en de gebruiksvoorwerpen in hun geheel achter in de barak gebracht. De barak van binnen schoongeveegd en doeken opgehangen. De gebruiksgoederen van de compagnie op orde gezet. 's Middags was er een lezing over de Groot-Oost-Aziatische oorlog. Vanavond is er gezamenlijk eten voor de compagnie. Van het kader komt er iemand als gast op bezoek. Van de keuken krijgen wij koekjes. Met bier en drank zullen wij de laatste dag van het 16e jaar van Showa uitgeleide doen en het begroeten van de dag van de nieuwe lente van het volgende jaar vindt ons geestelijk bereid ons te storten op de nieuwe doelstelling.

Het 17e jaar van Showa. (1942)

1 Januari Donderdag.

's Morgens om 5.30 uur opgestaan. Bij de plechtigheid waren wij in volledige uitrusting op het oefenterrein aangetreden. Wij begroetten de militaire vlag in een ernstige stemming. Allen tegelijk gaven wij de eerbewijzen. Om zeven uur teruggegaan. 's Morgens rijstkoek gegeten. Om tien uur het middageten gebruikt. We hadden 's middags gezamenlijk eten, het was een echt feestmaal. Met mijnheer de afdelingscommandant riep de afdeling gezamenlijk „Banzai“¹⁾ Een goede stemming. Om 13.00 uur werden op het toneelplatform vruchten opgediend. Om vier uur heeft de gehele commandogroep van mijnheer de onderluitenant en mijnheer de sergeant majoor dertig flessen bier ontvangen. Daar ik bij het gezamenlijk eten begonnen ben met drie, vier, vijf glazen bier te drinken, voelde ik mij buitengewoon opgewekt. Wij hebben ieder op eigen wijze achter elkaar liedjes uit dezelfde landstreek gezongen. De eerste dag van het nieuwe 17e jaar is voorbij. Sinds ik onder de wapens geroepen ben, voelde ik mij voor het eerst blij.

2 Januari Vrijdag.

Bewolkt. Wind. — Vandaag is het de tweede van de

eerste maand. Vandaag is er rijstkoek. Te 8.40 uur aangetreden. Bij de bataljonsonderwijsoefening van een afdeling in voertuigen, ging een compagnie, de „legale“ afdeling, van de Oostpoort met auto's naar een of ander dorp. De vijand, die de stelling bij Omatsu en Iwayakannon op de hoogvlakte bij het hoogtepunt aanviel, werd vernietigd. Toen het twaalf uur sloeg, kwamen wij in de kazerne terug. In de middag werd de vastgestelde bataljonsonderwijsoefening gewijzigd in schoonmaken van kleding en uitrusting. Om 15.00 uur theorie van mijnheer de tweede luitenant Tsukahara. De inhoud is als volgt. Waarop gelet moet worden bij het treintransport tot het aan boord stappen en gedurende de tijd dat wij aan boord zijn. Verder de handelingen bij aankomst te bestemder plaatse.

3 Januari Zaterdag.

Helder weer. — Om half zeven reveille. Opgestaan, appèl. De oorlogsmakkers zijn naar de les gegaan,

met z'n vieren achtergebleven. Het eten klaargemaakt. Ook vandaag rijstkoek gegeten. Daar het vandaag Nieuwjaarsfeest is, hebben wij rustdag. 's Morgens kaart gespeeld. 's Middags gezamenlijk gegeten en drank gedronken, een feestmaal. Rondzang gedaan, om drie uur begonnen. Daarna een brief geschreven. Een brief gezonden aan de bewoners van het dorp Karefuji, waar mijn jongere broer woont. Daarna diverse spelletjes gedaan en naar het dagverblijf geweest.

4 Januari Zondag.

Het is vandaag de vierde van de eerste maand. In de ochtend binnen rust gehouden en voor Nieuwjaar allerlei dingen voor mijn plezier gedaan. Om half elf het middagmaal gebruikt. 's Middags naar het theater *De Grote Olifant* van Toyohashi gegaan. Wij zagen het Japanse nieuwsjournal en andere dingen. Juist iets voor plattelanners. Ik had vroeger ook die plattelandsatmosfeer. Nadat ik teruggekeerd was,

Een voorbeeld van Japanse geldklopperij:

In April 1942 werd door de Japanners een verordening afgekondigd, waarbij personen van vreemde landaard verplicht werden, zich tegen betaling van een hoog bedrag te laten registreren. Zij zouden daarna „beschermd worden in hun maatschappelijk en particulier leven“. Van die bescherming is niet veel terechtgekomen: de Japanse verordening had geen andere zin dan een gedetailleerd overzicht te krijgen van de „vreemdelingen“ in Indië en hen daarvoor stevig te laten betalen.

Opgenomen in de KAN PO (Berita Pemerintah)
Nomor istimewa blz. 10

VERORDENING No 7 Registratie van vreemdelingen

Art. 1

Een ieder van vreemde landaard, zowel man als vrouw, die de leeftijd bezit van meer dan 17 (zeventien) jaar en ook diegenen die dit jaar 17 jaar worden, uitgezonderd Japanse en Indonesische onderdanen, behoren de gegevens vermeld in Art. 3 te laten registreren bij de Japanse weermacht. Bij die gelegenheid moeten die personen ook een eed van volkomen loyaliteit aan de Japanse weermacht afleggen.

De militaire commandanten, bevelvoerenden in de onderscheiden plaatsen zullen zo spoedig mogelijk de tijden en plaatsen van registratie afkondigen.

Art. 2

Alle mannen en vrouwen die de gegevens vermeld in Art. 3 wensen te doen registreren zijn verplicht een registratiegeld te betalen, zoals hieronder aangegeven:

a. Europese landaard.

mannen	f 150.— (honderd en vijftig gulden)
	per persoon,
vrouwen	f 80.— (tachtig gulden) per persoon,

b. Chinese landaard en andere Aziatische landaarden (Arabieren, Voor-Indiërs en andere niet-Europese landaarden).

mannen	f 100.— (honderd gulden) per pers.,
vrouwen	„ 50.— (vijftig gulden) per persoon.

Art. 3

Alle mannen en vrouwen die zich wensen te laten registreren, behoren op te geven:

- landaard, geboorteplaats, laatste woonplaats.
- naam en ouderdom;
- tegenwoordig adres,
- werkkring;
- hoeveel jaren verblijfhoudende op Java;
- gehuwd of niet;
- naam en leeftijd van gezinsleden, die de registratie-leeftijd nog niet bereikt hebben (Dit geldt alleen als degene, die zich laat registreren, hoofd van het gezin is).

Art. 4

Degenen, die zich niet laten registreren en zij, die de eed aan de Japanse weermacht niet afleggen, zullen niet beschermd worden in hun maatschappelijk en particulier leven.

Art. 5

Deze verordening gaat in onmiddellijk na afkondiging.

Batavia, 11 April 1942

De Commandant van de Japanse weermacht

Opgenomen in de KAN PO (Berita Pemerintah)
Nomor istimewa blz. 23

TOELICHTING op Verordening No 7

Vreemdelingen moeten hun namen laten inschrijven

Volgens Verordening No 7, die zo juist is afgekondigd zijn vreemdelingen verplicht, hun adres te laten inschrijven bij het Japanse militaire Bestuur en bij die gelegenheid moeten zij ook een eed afleggen, dat zij loyaal zijn ten opzichte van het Japanse Militaire Bestuur. Allen, zowel Nederlanders als Chinezen en anderen, moeten hun naam, adres, werkkring, enz. laten inschrijven en moeten zich onderwerpen aan alle regelingen in dit land.

U allen is bekend dat onze vijand alleen maar tracht ons werk, orde te scheppen in Groot-Azië, te verhinderen.

Daarom moet de Japanse weermacht waken tegen vijandelijke daden van wie ook.

Wanneer wij niet opletterend zijn, zullen straks ordeverstoringen optreden, die dit land in gevaar brengen.

Misschien herinnert gij U nog de werkzaamheden van de vijfde Colonne, die de veiligheid en vrede van Azië in gevaar bracht.

Wanneer wij niet alle vreemdelingen verplichten, dat zij loyaal staan ten opzichte van de Japanse weermacht, dan is het mogelijk, dat enkele kringen vijandelijke daden gaan verrichten en bestaat ook de mogelijkheid, dat zij voortdurend geheim contact met de vijand gaan onderhouden.

1) Lett.: „Tienhonderd jaar“. Roep overeenkomend met ons „Hoe“.

was ik iemand, die zijn plicht als oprecht soldaat zuiverder zal uitvoeren.

5 Januari Maandag.

Bewolkt. — Reveille. Bij het appèl met het geweer in de hand en de bajonet aan de gordel naar het oefenterrein gegaan. Looppas en bajonetschermen geoefend. Het lichaam gehard. 's Morgens vóór tien uur schoonmaken van de uitrusting. Daarna theorie van mijnheer de eerste luitenant van de geneeskundige dienst: wenken tijdens het ankeren en gedurende het transport. Er is een nauw verband met de hygiëne. 's Middags rust. In de barak Morse geoefend. In een opgewekte Nieuwjaars-atmosfeer de dag doorgebracht.

6 Januari Dinsdag.

Helder weer. — Vanochtend weer appèl met het geweer in de hand en de bajonet aan de gordel. Oefeningen van man tegen man tegen de tweede com-

pagnie gehouden. In de ochtend theorie van mijnheer de sergeant Takahashi en mijnheer de tweede luitenant Tsukahara over de wachtendienst aan boord en op transport. Daarna van mijnheer de tweede luitenant Kato theorie over het onderhoud van de uitrusting en het leerwerk in de tropen en de wijze van invetten met olie. 's Middags onder leiding van mijnheer de afdelingscommandant voorwaarts gaan bij de aanval op een stelling in het hoge terrein in de nabijheid van het hier tegenoverliggende Omatsu, waarbij ik dienst deed als ordonnans. Ik was zo vermoeid, dat ik het gevoel had, dood te gaan. Op de terugweg was ik precies zo.

7 Januari Woensdag.

Regen. — Bij het appèl met het geweer in de hand en bajonet aan de gordel naar het oefenterrein voor oefening. In de ochtend schoonmaken van kleding en uitrusting. 's Middags inspectie over de uitrusting. Daarna om twee uur met de gehele commandogroep tot de dierentuin seinoefeningen tijdens de

mars. Bij de dierentuin een uur rust. Apen en andere dieren gezien, ik vond het erg grappig. Om vier uur teruggekeerd.

8 Januari Donderdag.

Na het appèl voor de barak 15 minuten eerbewijsoefeningen. In de ochtend voorlezing van het Keizerlijk Edict. Daarna mededelingen van mijnheer de afdelingscommandant over de oorlogstoestand. 's Middags naar de allerlaatste voorstelling in het bioscooptheater de *Grote Olifant* gegaan. Wij zagen Verkeersbeschaving bij de Takeo-groep. Japans nieuwsjournaal, speciale berichtgeving. Om half vier teruggegaan. Vanavond hadden wij wenken bij het voorwaarts gaan, opgesteld door mijnheer de groepscommandant.

9 Januari Vrijdag.

Bewolkt. — Bij het appèl naar het oefenterrein gegaan. Sectiesgewijze seinen en verbinding houden. Buitengewoon zwaar. Om 8.40 uur terug naar de kazerne. 's Middags de ons verstrekte goederen geïnspecteerd en om 15.00 uur mijn bed opgemaakt. Na het eten met de gehele commandogroep militaire liederen geoefend. Voorlichting over de Maleise taal ontvangen van mijnheer de soldaat eerste klasse Sekinouchi.

10 Januari Zaterdag.

Vanochtend bij het appèl met het geweer en de bajonet bajonetschermen. In de ochtend onderhoud van de uitrusting. Ik heb de uitrusting van mijnheer de groepscommandant schoongemaakt en onderhouden. 's Middags de mede te nemen mondvoorraad in ontvangst genomen, waarna inspectie over de uitrusting. Vanavond heb ik de mede te voeren mondvoorraad in de ontvangst rugzak gepakt. Landvoorraad maken wij voorbereiden voor ons vertrek. Een brief gezonden aan mijn hooggeachte vader.

11 Januari Zondag.

Vandaag is geen Zondagse dienst gehouden. In de ochtend hebben wij op tot nu toe ongekende wijze speciale goederen ontvangen. Handtekeningen voor ontvangst gezet en andere diensten verricht, waardoor wij het buitengewoon druk hadden. 's Middags was de samenstelling van de afdeling. Onmiddellijk daarna de ontvangen schoenen weer met nieuwe verwisseld. Ook 's middags de goederen, die niet in de rugzak konden, teruggegeven. Verder het tractement van deze maand, 6.87 yen, ontvangen.

12 Januari Maandag.

Om 6.15 uur was er alarm. Met de zware militaire uitrusting voor de barak aangetreden. Op het oefenterrein looppas gemaakt. Om half acht teruggekeerd. Vandaag de zomerkleding gedragen. Tenslotte — een dag doorgebracht.

13 Januari Dinsdag.

's Ochtends de militaire uitrusting klaargemaakt. Eerstdaags vertrekken wij naar X. Vandaag moeten wij volgens het standaardmodel van den onderluitenant ons zelf in gereedheid brengen. Vanavond ben ik naar het dagverblijf geweest en heb veel drank gedronken. Vandaag de nieuwe zomerkleding gedragen. Vanavond vijf brieven verzonden.

14 Januari Woensdag.

's Morgens half zeven reveille. In de ochtend theorie van mijnheer de afdelingscommandant over inkwartiering. Op de 16e a.s. worden wij een compagnie onder de Japanse vlag. Op de les hoorde ik dat wij naar Hiroshima gaan. 's Middags de compagniegoederen en de ons verstrekte gouvernementsgoederen in orde gebracht. Vanavond de laatste vier brieven verzonden.

16 Januari Vrijdag.

Bewolkt. — 's Morgens om zes uur opgestaan. Wij hebben het iedere dag druk met het in orde brengen van de omgeving, enz. Verder andere corveeën gedaan. Zo langzamerhand is morgen ons vertrek, zodat wij het druk hebben met de op vanmiddag vastgestelde inspectie over de uitrusting. Om 16.00 uur had dit voor de barak plaats. Vandaag inlevering van dekens en andere verstrekte goederen. Vanavond is het langzamerhand de allerlaatste avond geworden.

„Registratie van vreemdelingen”

Vele Nederlanders hebben reeds de wapens neergelegd en deze mensen leven nu in rust. Maar enkelen onder hen waren vroeger leiders van de luchtschermingsdienst en vele waren bij de Stadswacht. Nu hebben zij geen wapens, maar vermoedelijk koesteren zij een vijandelijke gezindheid.

Leg eerst de loyaliteitseed af

Wanneer die mensen in vrede in dit land willen leven als goede burgers, dan moeten zij zich onder bescherming stellen van de Japanse weermacht, dan moeten zij de eed van loyaliteit daaraan afleggen, dan moeten zij de bevelen van de Nieuwe Regering opvolgen.

Ook zijn er veel Chinezen, die voor de regering van Tsjoenking zijn, werken voor de belangen van Tsjang Kai Tsjek, en vijandig staan tegenover Japan.

Al deze mensen moeten ook de loyaliteitseed aan het Japans militair Bestuur afleggen.

Op dit ogenblik hebben wij de geallieerde A.B.C.D.-vesting vernietigd; dit land hebben wij bezet.

Voordat wij echter de Nieuwe Regering installeren, zal het noodzakelijk dat wij de kringen, die vroeger vijandelijk tegenover ons stonden, verzoeken, dat zij innerlijk loyaal tegenover ons gaan staan.

Aan welke kant staan de Chinezen?

Onder de Chinezen zijn er stellig, die niets met de Tsjoenking Regering te maken willen hebben, maar omdat de registratie van de namen zo snel mogelijk moet worden uitgevoerd, kunnen wij, voordat de namen ingeschreven zijn, geen verschil maken tussen wie pro en wie anti is.

Alle Nederlanders en andere vreemdelingen moeten hun adres en hun gezin laten inschrijven tegelijk met de betaling van het registratiegeld.

Een ieder, die loyaal is ten opzichte van Japan, zal eerbiedig en zo goed mogelijk behandeld worden.

Er zullen enkele mensen zijn, die niet voelen voor dat registratiegeld; vooral onder de Nederlanders zullen er vele zijn, die zich daaraan stoten.

Maar de Nederlanders mogen niet vergeten, dat zij vroeger iedereen, die dit land wilde binnenkomen, dwongen om aan hun Regering f 150.— te betalen en dat zij dat als juist beschouwden.

In Japan hebben wij nooit f 150.— registratiegeld geëist van mensen, die het land in wilden komen.

Het is mogelijk, dat de Nederlanders niet hebben geweten, dat het geld, dat door hen geheven werd van mensen, die dit land wilden binnenkomen, aanleiding gaf tot veel moeilijkheden en zorgen.

Nu mogen de Nederlanders echter weten, hoe zij in werkelijkheid vreemdelingen behoren te behandelen.

Nederlanders hebben geen rechten hier

Geachte toehoorders!

De Nederlanders zijn vreemdelingen. Hun volk heeft geen recht te openen Java; het heeft geen recht de macht uit te oefenen over het gehele Indonesische volk.

Dit is een zeer belangrijk punt. Wanneer een Nederlander, zal hij er niet toe komen, innerlijk loyaal te staan tegenover de Japanse Regering.

Binnenkort zullen alle Bestuurskantoren beginnen met de bovengenoemde registratie. Alle vreemdelingen moeten het registratiegeld betalen.

Vele Nederlanders leven trouwens nog zonder zorg en in luxe. Zij hebben genoeg eten en drinken. Hun vrouwen, onbezorgd, doen wat zij willen.

Men behoeft niet af te dingen

Juist op grond van dit luxe leven mogen zij niet zeggen, dat het bedrag van het registratiegeld te hoog is.

Wij dingen trouwens niet af.

Wanneer bijvoorbeeld een Chinees niet in staat is, f 100.— te betalen, denkt hij misschien, dat de autoriteiten hem zullen toestaan minder te betalen. Neen: het vastgestelde bedrag moet in ieder geval aan het Japanse Militaire Bestuur worden betaald.

Families behoren elkaar te helpen: de arme familieleden behoren geholpen te worden door de rijke familieleden.

Wanneer de Nederlanders en andere vreemdelingen zich niet onderwerpen aan die registratie, zullen zij worden beschouwd als een groep, die niet innerlijk loyaal staat tegenover het Japans militair Bestuur.

Zulke groepen zullen geen bescherming ontvangen van de Japanse weermacht.

Maar wanneer zij hun plicht hebben vervuld en geregistreerd zijn, zullen zij een bewijs ontvangen, dat hun wordt toegestaan in dit land te leven.

Dit bewijs zal hen beschermen in het dagelijks leven van alle dag.

Verwerp alle gevoelens van twijfel

Toehoorders!

Misschien horen veel Chinezen en Nederlanders deze radiouitzending.

Werp alle gevoelens van ongegronde twijfel van U af en laat Uw namen inschrijven in de registers met een zuiver en loyaal hart.

Nu is het tijdstip gekomen om Uw houding te bepalen.

Daar U in Azië leeft, moet U thans ieder vijandelijk gevoel en iedere vijandelijke daad uitschakelen. Zet Uw droom van het verleden niet voort!

U behoeft niet wanhopig te zijn, wanneer U zich maar onderwerpt aan de Nieuwe Regering.

Niet tegenstaande het erg koud is, gebruik ik twee wollen dekens. Kamae en ik, met ons tweeën, hebben vriendschappelijk de laatste avond in de Shashi barakken doorgebracht.

17 Januari Zaterdag.

Helder weer. — Vandaag zijn wij tenslotte in de richting van Hiroshima gegaan. Om 5.30 reveille. De tot nu toe gebruikte goederen in zijn geheel ingeleverd. Om negen uur hadden wij de Shashi kazerne achter ons en gingen wij in de richting van het station. Om elf uur in de trein gestapt. Bij het vertrek van de trein voel ik mij verdrietig. Daar wij veel overdag in de trein zijn, kijken wij uit en zien, dat wij in die tussentijd langs Nagoya, Gifu, Kyoto, Osaka en Kobe rijden en verder langs Okayama naar Hiroshima. Uit louter baldadigheid zongen en lachten wij. Van vreugde niet geslapen. Om vijf uur in de ochtend bereikten wij het doel, het station Hiroshima. Volgens mijn eigen idee moest Hiroshima zoel zijn, maar buiten verwachting viel er een koude sneeuw. Voorbij Kyoto zag ik veertig centimeter dikke sneeuw. Van het station werden wij met auto's naar de kwartieren in de een of andere wijk gebracht. Verschillende corveeën gedaan. Om half twaalf naar de eigen kamers gebracht. Wij waren in een huis en ik had het gevoel of wij een uitstapje maakten. Ik en mijnheer de soldaat 1e klasse Sekinouchi hebben met z'n beiden thee gedronken en gezellig gepraat. 's Middags na afloop van het vuur aanmaken, de krant gelezen. Na het avondeten in het bad gegaan, waarna naar het kantoor gegaan en tot één uur bij het drukken geholpen.

18 Januari Zondag.

Helder weer. — Ingekwartierd geweest in een hoek van de een of andere wijk van Hiroshima. Om vijf uur opgestaan. Ik voelde mij juist als iemand, die ter plaatse woont. Na het eten om half zeven aangekomen. Zo langzamerhand moeten de legergoederen naar de golfbrekers gebracht worden. Tot elf uur goederen in het schip geladen. Daarna aan boord gegaan en die goederen in het ruim gestapeld. Om twaalf uur gegeten. Om 15.30 haalde het transportschip het anker op en voer weg in zuidelijke richting. Ofschoon wij aan boord van een schip zijn, komt alles vlot voor elkaar. We varen met een snelheid van ongeveer zeven mijl.

19 Januari Maandag.

Gisterennacht door de inspanning van drie dagen naar bed gegaan en vast en rustig geslapen. Om 7 uur opgestaan. Het transportschip is reeds bij Shimonoseki aangekomen. Wij mogen niet naar het bovendek gaan. Alleen vandaag zullen we Japan nog zien. Het transportschip heeft van de ochtend tot de avond kolen geladen. Ikzelf heb vandaag voor mijnheer de sergeant majoor corvee drukkerij. Iedere sectie levert scheepswacht en luchtuitkijkposten, een buitengewoon drukke bezigheid. Wij doen die dienst niet, het soijt mij erg. In deze nacht zullen we met een groep schepen naar het zuiden gaan varen.

20 Januari Dinsdag.

Bewolkt. — Van Shimonoseki af ongeveer twee uur gevaren en stil gaan liggen. Vandaag is er helemaal geen dienst. In de ochtend mijnheer de sergeant majoor geholpen bij het drukken. Vanmiddag werden door mijnheer de tweede luitenant Matsunaga de regels voor verblijf in een schip doorgegeven. Verder de uitrusting schoongemaakt en lichamelijke oefeningen gedaan. Vanavond dagverblijfgoederen verhandeld. Van allen een bedankje gehad. Om 8 uur werd appèl afgenomen. Onder twee wollen dekens naar bed.

21 Januari Woensdag.

Bewolkt. — Na de reveille en het appèl naar het dek en mijn gezicht gewassen. Op een niet te registreren plaats zijn we stil gaan liggen. Gelukkig, dat de zon met zijn helder gezicht rood over de wijde wereld te voorschijn kwam. Om 10.00 uur voer het transportschip weer voorwaarts in Zuidelijke richting. Tot 11.30 konden wij niet op het bovendek komen. Daar de golven van de Pacific steeds wilder worden is het grootste gedeelte van de soldaten reeds zeeziek geworden. Ik zelf voel mij niet lekker. Ik heb geen zin in drinken en eten.

22 Januari Donderdag.

Om 7 uur reveille. Na het appèl op het bovendek lichaams oefeningen. Gisteren en vandaag waren er buitengewoon wilde golven. In het schip kan je niet staan. Naar het dek gegaan, om frisse lucht in te ademen. Vliegtuigen van de Keizerlijke Marine wuifden met de hand naar de groep transportschepen. Wij hebben broederlijke liefdesgevoelens. De groep transportschepen bestaat uit 21 schepen. Daaromheen zijn de beschermende oorlogsschepen. De vorm is zo, dat ik er een foto van zou willen nemen.

23 Januari Vrijdag.

Om zeven uur reveille. Na het appèl naar het dek gegaan en standaardgymnastiek gedaan. Na het ontbijt spel, lichaams oefeningen en zingen van militaire liederen. In vergelijking met gisteren zijn de golven vandaag kalm. Waar je ook kijkt, nergens is land te zien. De groep transportschepen vaart prachtig in een rij. Bij het naar het zuiden gaan, wordt het iets warmer. 's Middags binnen geveegd en alle maatregelen getroffen voor het geval het schip tot zinken wordt gebracht. Wij bezitten nu de juiste geestelijke bereidheid, om met een innerlijke gesteldheid ons te offeren voor het Keizerrijk, op welk tijdstip ook ons graf in de golven te vinden.

24 Januari Zaterdag.

Regen. Vandaag ordonnansendienst gedaan. Wij werken onder de surveillance officieren. Met z'n drieën doen wij om beurten twee uur dienst. Ik doe dienst van 8.00—10.00 uur, van 15.00—17.00 uur en van 22.00—24.00 uur. In de nacht zijn we zo in de buurt van Formosa gekomen, want ik voelde de koude. Vannacht heb ik slechts drie uur geslapen.

25 Januari Zondag.

Bewolkt. Oude tijdrekening 9—12. — 's Morgens om zeven uur reveille. Daarna lichaams oefeningen gedaan. Vandaag voor het eerst sinds het aan boord gaan gebaad en gewassen. Het wasgoed heeft zich opgehoopt. Om half elf lekker gebaad met zeewater en het stof afgespoeld. Tot twaalf uur gewassen. Om drie uur 's middags een schoonheidskuur gedaan en geheel opgefrist het dagboek geschreven. Het schijnt, dat wij morgen in de een of andere haven van Formosa aankomen. Vandaag is het een week, sinds wij aan boord stapten. Ik ben al goeddeels aan het zeeleven gewend.

26 Januari Maandag.

Bewolkt. Oud 10—12. — Vandaag om zeven uur opgestaan. De groep transportschepen is bij Formosa bij Zuid Hoko eiland²⁾ aangekomen. Omdat gerapporteerd was, dat het in de verblijven, waar wij tot nu toe waren, te warm was, zijn wij naar een verblijf in het voorschip verhuisd. 's Morgens en daarna 's middags tot drie uur corvee, alles netjes in orde brengen en verhuisd. Vanavond in een vrolijke stemming bier gedronken. Met ons allen veel plezier gemaakt.

27 Januari Dinsdag.

Helder weer. Hevige wind. — Om zeven uur reveille. Na het appèl naar het bovendek gegaan. Wanneer je aan alle kanten om je heen kijkt, zie je de groep transportschepen in een frontlinie van drie colonnes liggen. Wij zijn gisterenmiddag bij Hokoshima, een eiland aan de kust van Formosa, stil gaan liggen. Vandaag in de ochtend de kamers van binnen schoongemaakt. 's Middags zijn de schepen in Zuidelijke richting afgevaan. Door de buitengewoon hevige wind is de zee vandaag erg woelig. Het klimaat van Formosa is ongeveer zoals in mijn dorp in Maart en April, de tijd, dat het zo warm is, dat alles in bloei komt. Wij varen nu naar het zuiden van een plaats, die op de helft van de afstand tot ons doel is gelegen. Van nu af over ongeveer tien dagen zal wel de landing op de plaats van bestemming geschieden!

28 Januari Woensdag.

Helder weer. — Ik dacht, dat wij in zuidelijke richting zouden doorvaren, maar wij hebben vandaag in de haven van Tōkō overnacht. Dertig schepen hebben zich bij de groep transportschepen gevoegd. Het lijkt er op, dat wij morgen zullen vertrekken.

²⁾ Een eiland van de Pescadoresgroep.

Vandaag hebben wij 's morgens lichaams oefeningen en spel gehad. 's Middags les, waarbij mijnheer de tweede luitenant Kato theorie gaf over de bepalingen voor de inwendige dienst op een schip. Daarna op het dek frisse lucht ingeademd. Ik zag voor mijn ogen de gezichten van mijn familie, gezin, broers en zusters als schaduwen voorbijtrekken.

29 Januari Donderdag.

Helder weer. — Vandaag om zeven uur uit de haven van Tōkō vertrokken, en in de richting van Takao gevaren. 's Middags om vier uur in de prachtige gelegen haven van Takao op Formosa aangekomen. Ik ben ordonnans. Het aantal oorlogsschepen, dat in de haven van Takao een volledige bescherming geeft aan de groep transportschepen, bedraagt ruim vijftig stuks. Bij aankomst aldaar was de hitte werkelijk onbeschrijfelijk. Onderweg van Tōkō naar Takao waren er veel grote vissen en zeekoeien. Ik ben vanavond bevorderd tot ordonnans van de scheepswacht en luchtwacht. Vanavond in de haven van Takao rustig gaan slapen.

30 Januari Vrijdag.

Helder weer. Oud 14-12. — Door de buikpijn, die ik van gisterenavond af heb, voel ik mij buitengewoon onlekker. Formosa is erg heet, net als in de middenzomermaand in mijn geboortedorp. 's Morgens was er een alarmoefening voor het geval van zinken van het schip en bij brand. De uitrusting werd in de schuilplaats verzameld. 's Middags oefenen van militaire liederen en lichaams oefeningen gedaan. Vanavond bier gedronken, en de bijzondere Formosaanse producten, annanas en bananen gegeten.

31 Januari Zaterdag.

Helder weer, Oud 15-12. — 's Morgens om zeven uur reveille. Tegelijkertijd naar het voorschip gegaan voor lichaams oefeningen. Daarna gezicht gewassen en gegeten. De uitrusting schoongemaakt. Om elf uur op het uur van lichaams oefeningen gymnastiek gedaan onder korporaal Iseki. Vanmiddag inspectie over de uitrusting. Om 14.00 uur de uitrusting uitleggen; er wordt inspectie gehouden. Daarna heb ik de uitrusting ingeet. Van zes uur af werd repetitie voor de morgen uit te voeren voorstelling gehouden. Dit duurde tot negen uur.

1 Februari Zondag.

Na de reveille en het appèl gegeten. Vandaag om negen uur zijn wij aan boord van de *Tateno Maru* gestapt voor de soldatentoneelvoorstelling. Om negen, tien, elf en twaalf uur traden van iedere afdeling de bekwame toneelspelers voor hun wapenbroeders op en gaven interessante kunstvoorstellingen zoals Japans worstelen, houding dansen, kussendansen en parodie (?) van Amerikaanse vrouwen. 's Middags rust.

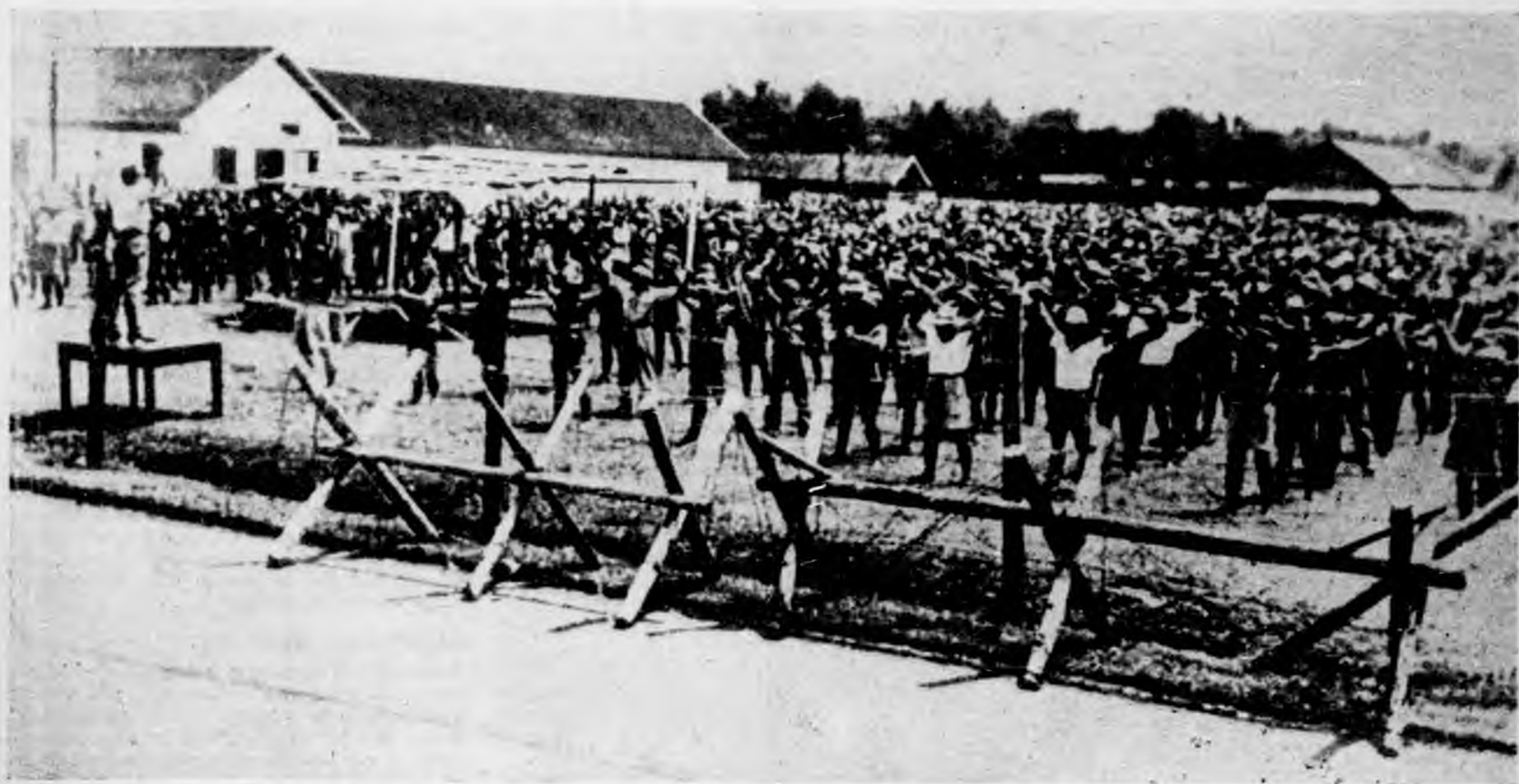
We zijn drie à vierhonderd meter dichter bij de plaats Takao gaan liggen. De groep transportschepen bestaat misschien wel uit honderd schepen.

2 Februari Maandag.

Helder weer. — De andere compagnieën gaan in de haven van Takao aan wal om te baden, terwijl wij aan boord blijven voor bewaking. Vandaag moeten wij goederen laden en andere corveeën doen. Wij zijn erg teleurgesteld, dat wij niet aan wal mogen en baden kunnen. Vanavond waren er citroenen neergelegd, maar mijnheer de afdelingscommandant heeft in zijn goedheid drie trossen bananen gekocht en onder de militairen verdeeld. Om 12.30 uur zijn acht man van de commandogroep aan land gegaan. Wij hebben meloen en mandarijntjes gekregen. Het was reeds twee uur, voor ik naar bed ging.

3 Februari Dinsdag.

Helder weer. — De transportschepen zijn vandaag om acht uur vertrokken en varen naar het zuiden in de richting van het eiland Hainan. Om te beginnen hebben we tenslotte het laatste Japanse land gehad. Naar genoeg bananen en ananassen gegeten. Om tien uur was de haven van Takao weg en verdween Formosa uit het gezicht. Vandaag heb ik de 150.000 kaarten van ons land van bestemming, Java, geordend. We varen nu naar de woeste Zuid-Chinese Zee. Vandaag hebben wij de winterkleding ingeleverd. Vanavond de Formosaanse producten meloen en mandarijntjes gegeten. Deze mandarijntjes smaken als appels, buitengewoon lekker.



Nederlandse gevangenen bij de verplichte ochtendgymnastiek in een krijgsgevangenenkamp op Java.

4 Februari Woensdag.

Helder weer. — Vandaag hebben wij het tweede wekelijkse bad, sinds wij aan boord zijn gegaan. Verder de was gedaan. Wanneer iemand in deze moeilijkheden komt, begrijpt hij voor het eerst het geluk van wassen en baden. Om 15.30 uur was de plechtigheid van het voorlezen van het Keizerlijk Edict. Er is gezegd, dat ons landingspunt op Zuid-West-Java ligt. De raadgeving van mijnheer de afdelingscommandant is, dat wij voortdurend moeten letten op onze lichamelijke toestand en dat wij onze militaire plichten volledig moeten uitvoeren.

5 Februari Donderdag.

Helder weer. Oud 20-12 — Om half acht reveille. Het schip vaart naar het zuiden. Binnenkort zullen wij in Indo-China aankomen. Van ongeveer gisteren af hebben wij door de zomerhitte weer nieuwe kleding ontvangen om wat losser gekleed te zijn. Vandaag is de prophylactische injectie begonnen. Ik ben in groep twee. Wanneer je in de zuidelijke streken komt, zie je ieder ogenblik slangen, vissen en schildpadden. Door de hitte kon ik in de nacht van half elf tot twaalf uur in het geheel niet slapen.

6 Februari Vrijdag.

's Morgens om half acht opgestaan. In verband met de lichaamstraining van vanmorgen op het bovendeck tegelijk met de oorlogsmakkers gerust, terwijl wij ons in de koele wind baadden. Daar mijnheer de groepscommandant Igawa het een of ander onplezierigs had, was hij erg uit zijn humeur. De soldaten waren volkomen in de put. 's Middags hebben wij een injectie van vier soorten door elkaar gehad, zodat ik naar bed gegaan ben. Van vandaag af mogen wij ongekleed op het bovendeck verschijnen. Voor een bepaald doel, dat ik heb, houd ik daarvan. Ik heb het roken afgeschaft. Aan de heren Komutsu en Inani het doel van het afschaffen van het roken bekend gemaakt en op de oprechtheid hiervan een eed afgelegd.

7 Februari Zaterdag.

Helder weer. — We schijnen morgen in de een of andere haven van Frans-Indochina aan te komen. Ik krijg zo ongemerkt het gevoel van het einde. Het zal nu wel erg koud zijn in mijn geboortedorp, maar wij weten hier niets van de koude in Japan in Januari en Februari. Wij blijven iedere dag maar aan boord. Van Formosa naar het zuiden gaande, is de zons-

ondergang om acht uur en het licht worden 's ochtends om acht uur. Dat is geheel anders dan in mijn geboortedorp.³⁾

8 Februari Zondag.

Helder weer. — 's Morgens om zeven uur opgestaan. Toen het licht begon te worden, kwam ineens een eiland in de buurt van de Camranh-baai in Frans-Indochina in zicht. Om tien uur liepen wij een Frans-Indochinese haven in de Camranhbaai binnen. Op deze plaats lagen een groot aantal Japanse oorlogsschepen in afwachting. Buiten verwachting waait in Frans-Indochina een koele wind. Het landschap ziet er precies zo uit als ongeveer in de zomer in mijn geboortedorp. Vannacht is het een nacht aan boord in de Camranhbaai van Frans-Indochina.

9 Februari Maandag.

Helder weer. — Om half acht reveille. Van vandaag worden in de compagnie de kragen van de zomer-kleding neergeslagen. Van tien uur af handenarbeid-oefeningen, zodat ik druk bezig ben geweest. Met veel zorg naaiwerk gedaan. Mijnheer de groepscommandant heeft zijn rangonderscheidingsteken verloren, wat mij erg voor hem spijt. Van tien uur af stromen de zweetdruppels. Tot twaalf uur oefeningen gedaan. 's Middags een schoonheidskuur gedaan en rust.

10 Februari Dinsdag.

Helder weer. Oud 25-12. Om vijf uur opgestaan. Daar bepaald was, dat wij vandaag in de plaats Camranh aan wal zouden gaan, om zes uur gegeten. Om acht uur aan wal gegaan. Toen ik snel in het bad stapte, ontmoette ik toevallig Arai Ryūhei, die afkomstig is uit mijn dorp. Ongeveer dertig minuten met hem gepraat. 's Middags de plaats Camranh bekeken. Beschouwd uit het gezichtspunt van de dorpen in mijn geboortestreek is hier in ieder hoekje van het dorp zoiets als overvloed. Gewaarschuwd werd, dat de Indochinezen wilden zijn. Zij zijn mensen van lagere orde, zoals kocien en paarden. Om 16.00 uur de richting van de *Shizuno Maru* ingeslagen en aan boord teruggekeerd.

³⁾ Daar Frans Indochina ± 30° westelijk van Tokyo gelegen is, gaat de zon aldaar enkele uren later op en onder dan in Tokyo. De Japanners hebben steeds vastgehouden aan de Tokyotijd, ook wat Nederlands-Indië betreft. In Batavia was het tijdsverschil anderhalf uur (zie ook aantekening op 13 Februari. De schrijver denkt aldaar, dat de tijdsverschuiving afhankelijk is van het naar het Zuiden gaan). (Noot van de bewerkster.)

11 Februari Woensdag.

Vandaag is het Kigensetsu met zijn diepe betekenis. Om half tien zijn wij naar het dek gegaan, alwaar een gebed gedaan werd voor het Keizerlijk Huis. De interne compagniesplechtigheid werd gehouden. De Kigensetsu van dit jaar begroetten wij aan boord van het transportschip de *Shizuno Maru*. 's Middags hebben wij rust gehad. De was gedaan. Vanavond hebben wij sake en bier gedronken, iedereen was vrolijk. De Kigensetsu van het jaar 2602 gevierd.

12 Februari Donderdag.

Bewolkt Oud 27-12. Om half acht opgestaan. Nadat ik de rijst gegeten had, lichaams-oefeningen. Daarna met de kleding en uitrusting, waarmee wij de landing zullen doen, op het dek aangetreden. Loopas en bajonetschermen geoefend. 's Middags een injectie ontvangen en naar bed. Na het avondeten militaire liederen geoefend en lichaams-oefeningen gedaan onder mijnheer de groepscommandant Sakawa.

13 Februari Vrijdag.

Regen. — In de ochtend met de Saiyama-afdeling met volledige militaire bepakking in het schip gemarcheerd. Bij allen, ook bij de groepscommandant stroomden de zweetdruppels. Daarna lichaams-oefeningen gedaan. 's Middags bij iedere sectie individuele onderwijsoefeningen. Met ingang van vandaag is het uur van reveille in 8.00 uur, dat van appél in 9.00 uur gewijzigd. Naar het zuiden gaande, gaat de zon niet onder als men verder gaat en het wordt 's morgens laat licht.

14 Februari Zaterdag.

Helder weer. Oud 29-12. — Om acht uur reveille. We hebben vandaag sinds het aan boord gaan voor de vierde maal de was gedaan. Daar wij geen etensblikken ontvangen hadden, hebben allen deze ontvangen. Om tien uur de was gedaan. 's Middags pestinjecties. De injectie van vandaag wordt ook viermaal gegeven. Ik zelf heb corvee, tot vijf uur gewerkt, dat het zweet stroomde. Eindelijk is het morgen nieuwjaar in mijn geboortedorp. De huisgenoten zullen mij wel gedenken en God bidden, denk ik. Ook ik ben steeds flinker en ik span mij in, de goedheid van allen, waaronder in de eerste plaats van mijn beide ouders, terug te betalen.

15 Februari Zondag. Oud 1-1.

Voor vanavond was een onderwijsoefening in het

landingsgevecht vastgesteld, waardoor het erg druk was met de voorbereidingen. 's Middags was mijnheer de groepscommandant Sakawa uit zijn humeur, zodat wij allen er aan vasthielden om niet langzaam te zijn. Om ongeveer zes uur kwam de order, dat het landingsgevecht werd afgelast. Het is vandaag de eerste dag van het Nieuwjaar. We hebben dingen van het dagverblijf gegeten en gedronken. Iedereen heeft vrolijk de Nieuwjaarsdag doorgebracht. Na het appèl om tien uur hebben wij gedurende een uur theorie gehad van mijnheer de groepscommandant Sakawa, waarbij wij de tranen de vrije loop lieten.

16 Februari Maandag.

Bewolkt. — Na het opstaan mijn gezicht gewassen. Om negen uur ontbeten. Vandaag hebben wij de zonnebeschermers achter aan onze hoofddekseels bevestigd, waarmee tot twaalf uur bezig geweest. 's Middags, nadat ik mijn dagboek had ingeschreven, lichaams oefeningen gedaan. Het is in mijn geboortedorp de 2e dag van het nieuwe jaar. Met die zorgen over mij, zal het anders zo vrolijke Nieuwjaar wel niet opgewekt verlopen zijn. Dit is een gedachten-associatie van het Frans-Indoëchinese land.

Ook thans weer publiceren wij titels van een aantal illegale bladen, waarvan wij graag exemplaren of waaromtrent wij graag inlichtingen zouden ontvangen uit onze lezerskring. De eerste oproepen hebben ons vele nieuwe gegevens verschaft. Aan de inzenders onze dank! Hier volgt de zevende lijst, waarbij achter de titels de ons tot dusver slechts bekende spaarzame gegevens vermeld staan:

Revolutionnaire Volksliga - aanwezig 1 exemplaar uit 1940 of 1941
 Robu (Rose Bulletin) - Alkmaar. Juli 1943—eind 1944
 Rode October, De - orgaan van het Comité van Revolutionnaire Marxisten
 Roland - aanwezig 1 exemplaar uit 1944
 Rondschrijven - aanwezig 1 exemplaar uit 1943
 Roskam, De - Voor God, Koningin en Vaderland. Voor Vrijheid, Waarheid en Recht — aanwezig 2 exemplaren uit eind 1943
 Rotterdamsche Post, De - geïllustreerd maandblad voor het bezette Nederlandse gebied — Rotterdam. Aanwezig exemplaren uit 1941
 Schildwacht, De - Amsterdam. De nummers uit 1944 ontbreken
 Schijnwerper, De - Groningen. 1940/1941
 Signaal, Het - orgaan van de Nederlandse vrijheidsstrijders. 1942/1943
 Signalen der Vrijheid - 1942
 Sirene, De - Oss, Heusden. Mei 1943—eind 1944
 Sneeuwbal, De - Arnhem. 1942/1944
 Snoekje, Het - Tegelen. 1944
 Sociaal-democratische uitgave - 1945
 Spartacus - 1941/1945
 Spitfire - dagbulletin voor Hoorn. 1944—1945
 Spotvogel, De - 1944
 Sta Pal! - Amsterdam-W. 1944.
 Stars en Stripes, The - 1944
 Steekvlam, De - 's-Hertogenbosch. 1941?
 Steenbergse bus-courant of Oorlogsjournaal - Steenbergen. 1944

17 Februari Dinsdag.

Helder. — Om acht uur reveille. Na het appèl op het bovendeck lichaams oefeningen. 's Ochtends het omhulsel van de koperen reddingsvesten ingeleverd. Om tien uur grote schoonmaak in het schip. De verblijven waren bij wijze van spreken zo vuil als varkenshokken. We hebben het netjes in orde gebracht. Ons lichaam zal vol roet, met koud water gewassen. 's Middags om 18.00 uur klaarmaken voor de landingsoefening. Het schijnt, dat wij morgen uit de Camranhbaai van Frans-Indochina zullen wegvaren. Vanavond om acht uur wordt de nachtelijke oefening in de Camranhbaai gehouden.

18 Februari Woensdag.

Om zeven uur opgestaan. Na het ontbijt zijn wij vandaag onder dekking van een groot aantal oorlogsschepen de Camranhbaai van Frans-Indochina uitgevaren. Wij begonnen om tien uur in zuidelijke richting te varen. Vastgesteld is, dat wij op het eiland Java, onze bestemming, ongeveer de 27ste of 28ste zullen landen. Van vandaag af zullen 's ochtends en 's avonds het Keizerlijk Edict en de Voorschriften op het slagveld worden voorgelezen.

Stem, De - Utrecht. 1944
 Stentor II - Gouda. Najaar 1944
 Stienen Mân, De - 1945
 Stormklok - 1944
 Stormvogel, De - Makkum
 Stormwind, De - 1944
 Stroomlooze, De - Woerden. 1944
 Strijdend Nederland - Hengelo
 Strijdend Nederland - Vollenhove. 1943—1945
 Strijdend Nederland - men rekent de uitslag niet, doch telt het doel alleen. 1945
 Strijdend Nederland - 1945
 Taifoon - Hilversum
 Telex - Den Haag. De nummers uit 1943 ontbreken
 Telex - Groot-Ammers
 Telex - Heiloo. 1944/1945
 Terreur en Willekeur - Gouda. 1944/1945
 This is London calling - Leiden. 1944
 Those who fight for world's freedom - 1944
 Times, The - nieuwsuitgave van Vrij Nederland, Haarlem. 1944/1945
 Toch - Amersfoort. 1945
 Trapper, De - Dordrecht. 1944/1945
 Tribane, De - Enschede. 1941/1943
 Tribune der jeugd
 Tijdsproblemen - kaderbulletin van het MLL-front. 1942
 Typhoon, De - Alphen a/d Rijn. 1944/1945
 Typhoon, De - (Roomsche Katholiek). 1945
 Typhoon, De - Zaandam. De nummers uit 1943 en begin 1944 ontbreken

Hebt U exemplaren van een van deze bladen? Kent U mensen, die misschien exemplaren hebben? Weet U iets van hun ontstaan of verspreiding af? Stuur dan een briefje naar: Rijksinstituut voor Oorlogsdocumentatie, Herengracht 479, Amsterdam (C.) - Wij zullen U dankbaar zijn voor Uw medewerking!

19 Februari Donderdag.

's Morgens lichaams oefeningen en de was gedaan. Voor de laatste maal in het bad, enz. Het stof afgespoeld.

20 Februari Vrijdag. Oud 6-6.

Na de reveille en het appèl schoonmaken van de uitrusting. Daarna bestonden mijn werkzaamheden uit lichaams oefeningen en corvee. 's Middags heb ik lichaams oefeningen gedaan.

21 Februari Zaterdag.

Bewolkt. — 's Morgens de uitrusting en de wapens schoongemaakt. Op het dek looppas gedaan en lichaams oefeningen. 's Middags een versterking van dagverblijfsartikelen ontvangen. Heerlijk gegeten. Op Java zullen wij nu over vier dagen landen.

22 Februari Zondag.

Regen. — Vandaag heeft het van de ochtend af geregend. 's Morgens in de drukkerij en verder allerlei corveeën gedaan. 's Middags de uitrusting gereedgemaakt en het dagboek ingeschreven. We hebben vanavond ook dagverblijfsartikelen gegeten. Ik weet niet wat de bevelen voor morgen zijn. Wij hebben opgewekt gedronken.

23 Februari Maandag.

Bewolkt. — Van gisteravond af heb ik pijn in mijn buik. Ook het begrip oorlogsmakkers is verouderd. Vandaag heb ik 's morgens en 's middags niet gegeten. Van het avondeten af gegeten. De oorlogsmakkers van dezelfde grond zijn mensen, die geheel als hond en kat leven. Ik ben ook een Japanner, maar het spijt mij erg en ik ben er verdrietig van.

24 Februari Dinsdag. Oud 10-1.

Daar onze groep schepen ontdekt werd door de vijand, zijn wij de gehele dag teruggevaren. Vandaag weer de zuidelijke richting genomen. In de ochtend de grondslag voor de voorbereiding van de landing gelegd. 's Middags om vijf uur werd een vijandelijke duikboot ontdekt. De oorlogsschepen, die de wateren bewaakten, gaven hevig vuur af. Wij stonden in bewondering.

25 Februari Woensdag.

Bewolkt. — Om acht uur reveille. Iedere dag worden 's morgens het Keizerlijk Edict, 's avonds de Voorschriften op het slagveld en daarna de compagniesvoorschriften steeds weer opgelezen. Ik heb tot heden met vol enthousiasme gewerkt. Zo nu en dan vliegen eigen vliegtuigen moedig voorwaarts in de hemel boven onze groep schepen.

26 Februari Donderdag.

Helder weer. Oud 12-1. — In het schip zijn de medegenomen goederen opgepakt als rijst in een zak. We hebben inspectie over de uitrusting gehad. De uit 82 schepen bestaande transportvloot vaart statig van bescherming van 30 oorlogsschepen in de richting van Java.

27 Februari Vrijdag.

Daar in de nabijheid van Java, de plaats waar de landing zou moeten plaats vinden, vijftien vijandelijke oorlogsschepen ter bewaking lagen, heeft onze transportvloot zich teruggetrokken. De oorlogsschepen die zich aldaar op zee bevonden, voeren tot vlak bij de vijand en brachten twee vijandelijke oorlogsschepen tot zinken. Tot vannacht twaalf uur in noordelijke richting gevaren en daarna weer in zuidelijke richting gegaan. ⁴⁾

28 Februari Zaterdag. Oud 14-1.

Op de dag, met zijn diepe betekenis van het bereiken van het beloofde land, konden wij op de plaats van de landing door de vele vijandelijke oorlogsschepen geen landing uitvoeren; zij is tot morgen uitgesteld. Sinds gisteravond heb ik buikpijn, ik heb er het land over. Een verblijf van vijf en veertig dagen aan boord is slechts voor de dag van heden. Landing.

1 Maart Zondag. Oud 15-1

Oud 15-1. — Vanavond, tenslotte op de 45ste dag, hebben wij voor de vijand de landing uitgevoerd.

⁴⁾ Deze aantekening betreft de slag in de Javazee. (Noot van de bewerkster.)

Om tien uur stonden wij volledig opgesteld in de verblijven. Om half twaalf ineens in de kleine schepen geëmbarkeerd en op een of ander punt geland. Het kanongebulder was steeds heviger te horen. De wegen waren door de vijand vernield. Tot de knieën in het drasland trokken wij binnen, door de makkers aangemoedigd. Als versperringen lagen over de gehele weg omgehakte bomen. Vannacht niet geslapen. Dit is het oprukkende leger.

2 Maart Maandag.

Helder weer.—Gisterennacht tot één uur is het leger opgerukt. Vandaag hebben wij in een of ander dorp het eten klaargemaakt. De zware veldzak al torsende, stroomde het zweet als parels. De inheemse mensen begroetten ons Japanners vriendelijk. Wij zijn sterk. Op het vriendelijke Java wordt enerzijds de rijst geplant en anderzijds de rijst gesneden. Het in de aar komen van de rijst wordt bij een soort afwisselende oogsten gecultiveerd. Veel vruchten van de kokosnoot gegeten.

3 Maart Dinsdag.

Vannacht een nachtmars in de richting van Batavia. In de stromende regen rivieren overgestoken. Tot acht uur gerend. Daarna met auto's vervoerd. Zeven Amerikaanse krijgsgevangenen. Van vanmiddag af duren de gevechten in bewoonde plaatsen de gehele dag door. Overnacht in Kegen (of Tjidkin).

4 Maart Woensdag.

's Avonds om half tien vertrokken. Het Keizerlijk leger is in de nacht in een opgewekte stemming begonnen. Onderweg waren de bruggen vernield, de opmars is moeilijk. Het regent iedere nacht. Wij zijn als langzame katten. Mijn voeten zijn vol blaren. Ondervond van allen zeer veel oprechtheid, barmhartigheid en medeleven. Er zijn reeds doden, zodat wij treurig zijn, maar wij allen vormen een leger dat oprukt. Tijdelijk bivak betrokken in een zeker dorp Balaradja.

5 Maart Donderdag. Oud 20-1

Gisterennacht heb ik voor het eerst sedert de landing geslapen. Ik voel mij opgewekt. 1/3 van de compagnie is spits voor de aanval op Batavia, ik ben een daarvan. Tot Batavia is het nog 60 km. Ongeveer 32 km. met auto's vervoerd. Daarna mij voortgesleept met voeten vol pijnlijke blaren. Twee mijl in de ochtend gelopen. Onderweg had de vijand veel uitrusting weggeworpen. Ondanks versterkingen en prikkeldraadversperringen rukten wij op bewonderenswaardige wijze verschillende kilometers op. Vanavond hebben wij niet gegeten. Met een uitgeput lichaam om tien uur in een hoek van de dienst ruimte geschild. De vijandelijke troepen gaven een buitengewoon hevig vuur af. Vervolgens werd van onze zijde het vuur geopend. Ongeveer twintig man van de vijand werden gedood, ruim honderd werden krijgsgevangen gemaakt. De vijand heeft tweemaal zoveel manschappen als de Japanners. Daar mijn lichaam slechts dun bekleed is, heb ik schone kleren aangetrokken.

6 Maart Vrijdag.

Van gisterenavond af in garnizoen in Batavia. Verschrikt over de kracht van het Japanse leger komen de blanken, de witte vlag omarmende, zich verzamelen. Onze uitgezochte afdeling is de spits. Ruim honderd auto's gevorderd. 's Middags en 's avonds gegeten. In ieder geval is Batavia goedkoop, ik kon naar genoegen eten. Vandaag is zes uur als termijn gesteld, dat wij de opmars naar Bandoeng zullen beginnen. Daar Batavia de hoofdstad is, is het inderdaad een grote stad. De wegen zijn goed, zodat 30 mijl maar weinig is. Toen wij ongeveer 40 km. op mars waren, waren wij op een verkeerde weg en gingen terug. Vannacht van drie uur af geslapen.

7 Maart Zaterdag.

Een eetketel met vis leeggegeten. Overdag gewassen en de uitrusting schoongemaakt. De inheemse mensen houden van ons Japanners, zij brengen ons veel vruchten. Wij moesten wel een diepe indruk maken op de inheemse mensen. Vanavond om tien uur zijn wij met ongeveer honderd auto's de opmars begonnen. Onderweg in het dorp Badjing gerust.

8 Maart Zondag.

Van gisterennacht af hebben wij vandaag de hele dag de opmars voortgezet. Tijdens de opmars om tien uur in een of ander dorp aangekomen. De ijzeren brug was vernield. Tot de genietroepen de brug hersteld hadden, gerust. Om negen uur was de brug gereed en zijn wij de opmars begonnen.

9 Maart Maandag. Oud de 24e dag

In de richting van Bandoeng waren de wegen slecht. Werkelijk, onder grote moeilijkheden vervolgden wij onze weg. 's Nachts niet geslapen. De weg was geheel bezaaid met lijken en auto's van de vijand.

Hier breekt het dagboek af.

Stadgenooten.

Strategische overwegingen hebben er toe geleid de stad Batavia prijs te geven. Het Japanse bezettingsleger kan hier elk oogenblik binnentrekken.

Door dit feit met waardige berusting te aanvaarden dient gij Uw eigen en ons aller belang het beste. Begeef U niet onnoodig op straat en onthoudt U bovenal van vijandelijke daden of demonstraties tegenover den bezetter.

De bestrijding van den vijand is legertaak. Helpt allen mede de openbare rust en orde te handhaven en vertrouwt er op dat de plaatselijke overheid alles zal doen wat in haar vermogen ligt om de belangen der Stadsbevolking zoo goed mogelijk te behartigen. Voedingsmiddelen zijn in ruime mate aanwezig. God sterke U allen.

De Resident en

De Burgemeester van Batavia.

5 Maart 1942

Proclamatie, door de burgemeester van Batavia uitgegeven, vlak voor het binnentrekken van de Japanse troepen in Maart 1942.

De "Voorschriften op het Slagveld"

Als Legervoorschrift No. 1 werden op 8 Januari 1940 door de toenmalige Japanse minister van oorlog, Hideki Tojo, de z.g. „Voorschriften op het Slagveld" uitgevaardigd, die elke Japanse soldaat zich terdege moest inprenten. Deze Voorschriften bevonden zich ook bij het hiervoor in vertaling afgedrukte dagboekje van Kumada Hayashinotoshi. In zijn aantekeningen maakt hij herhaaldelijk melding van de voorlezing van de Voorschriften ten bate van de soldaten. De tekst van deze merkwaardige Voorschriften laten wij hier volgen. De vertaling is van de hand van J. C. C. W. van Nooten.

Het slagveld is de plaats, waar op grond van de Keizerlijke bevelen het goddelijk innerlijk van de Keizerlijke weermacht zich ontplooit; waar bij de aanval alleen genomen mag worden; bij het gevecht alleen gewonnen mag worden; waar de Keizerlijke weg rondom gepropageerd wordt en waar de vijand die dit in eerbied aanschouwt, de waardigheid van de Goddelijke Keizerlijke Deugden wordt ingegrift. Dit zo zijnde moet van een ieder, die het slagveld betreedt, verwacht worden, dat hij volkomen de belichaming is van de zending van het Keizerrijk, dat hij zich gedraagt volgens de morele principes van de Keizerlijke weermacht en dat hij de uitstralende deugden van het Keizerrijk over de vier zeeën verspreidt.

Mijns inziens zijn de morele grondprincipes van de militaire geest duidelijk belicht in het op verheven wijze aan de militairen verstrekte Keizerlijk Edict.

Evenwel, de hoofdlijnen, die de grondslag vormen voor het gevecht en voor de opleiding, zullen ingevolge het schema, dat neergelegd is in de reglementen worden onderwezen. Maar ondanks dit moet men, daar in de nabijheid van het slagveld een ieder geneigd is, voor de opdoemende verschijnselen de fundamente te laten vervallen, op zulk een tijdstip zodanig handelen, dat men niet met de plicht van de agerende soldaat in conflict komt. Weest buitengewoon voorzichtig! Bijvoorbeeld, wanneer men terugziet op de ervaring in het verleden, moet, ten einde op het slagveld steeds een volledige gehoorzaamheid te kunnen verwachten die zich richt naar het Keizerlijk Edict, de autoriteit van een doelbewust optreden getoond worden, waardoor een versterking van de morele principes in de Keizerlijke weermacht zal worden verkregen. Dit zijn de fundamentele aanwijzingen van de voorschriften op het slagveld.

Voorschrift I

1. Het Keizerrijk.

Japan is het Keizerrijk. Het is ons vergund, gedurende tienduizend geslachten een lijn van Keizerlijke goden te hebben en een Keizerlijke regering te bezitten, die zich van de grondvesten van het Rijk af voortzet en nog onafgebroken regeert. De Keizerlijke innerlijke goedgunstigheid doordringt alle volkeren; zijn heilige deugd bekleedt de acht windrichtingen met glans.

Het volk en de ambtenaren ontvangen als kleinzoon en grootvader onderling elkaars trouw, ouderliefde, dapperheid en militaire deugd, zij steunen het hemelse werk door de morele principes van het Keizerrijk te versterken en zij brengen als eenheid de toekomst van het Keizerrijk tot bloei.

Gij officieren en minderen op het slagveld, belichaamt op de juiste wijze de morele grondbeginselen van ons nationale karakter, houdt vast aan een onbuigzaam en onbedwingbaar geloof; wij verwachten van u, dat gij, een eed afleggend, de grote taak van de bescherming van het Keizerrijk zult volvoeren.

2. De Keizerlijke weermacht.

De weermacht is onder opperbevel van de Keizer, belast met het tot openbaring brengen van de

JAPAN SPREEKT TOT DE INDO-EUROPEANEN

Systematisch hebben de Japanners getracht, tweedracht te zaaien tussen de Indo-Europeanen en de volbloed Nederlanders. Keer op keer poogden zij de Indo-Europeanen tot samenwerking te bewegen. Veel succes boekten zij daarbij niet. Men kan dat bijvoorbeeld afleiden uit een in vrij gebroken Nederlands gestelde radioredevoering die — vermoedelijk in 1943 — door een Japans functionaris uitgesproken werd.

In het begin van dit jaar heeft de Japanse Regering reeds een scherpe waarschuwing geuit aan de Indo-Europese gemeenschap. Deze waarschuwing hield in, dat wanneer deze groep zich niet van de huidige toestand bewust is en zij nog daden verrichten die ongepast worden geacht, de Regering strenge maatregelen zal nemen tegenover hen en hen zal beschouwen als zijnde een volk tot de vijand behorende.

Doch helaas beseft echter een deel van hen de stroming van deze tijd niet en wensen zij in het geheel hun eigen belang niet in te zien. Ja, zij verrichten daden, die van een vijandelijke houding getuigen, b.v. spionage voor de vijand, propaganda voeren ten behoeve van de vijand, of beogen zij geheime verhalen rond te bazuïnen met de bedoeling, de vroegere regering weer op te rakelen. De Regering heeft reeds strenge maatregelen genomen ten opzichte van dezulken.

Alhoewel op dit tijdstip *Asia Timoer Raja* zich van het juk van Amerika, Engeland en Nederland bevrijd heeft, alsmede reeds zeer snel is vooruitgegaan en zich actief heeft toegelegd om de volkeren van *Asia Timoer Raja* bescherming te bieden onder de Keizer van *Dai Nippon*, heeft toch een groot deel van de Indo-Europese gemeenschap hoe langer hoe meer te leiden van de moeilijke levensomstandigheden, waarin zij verkeren, en gaat hun positie in de huidige maatschappij steeds meer achteruit, vanwege zij door een klein deel van hen, die zich nog steeds de houding der vijand aanmatigen, in het ongeluk worden gesleept.

Als wij ons bedenken dat de Indonesiërs, die toch het grootste deel der ingezetenen van Java vormen, met geheel hun hart hun krachten inspannen ten

behoefte van de belangen van het Japanse Legerbestuur en ook de Chinezen samenwerken met het Japanse Legerbestuur om vlug en snel een „Nieuw Java" te vormen, dan valt het werkelijk te betreuren dat zowel in het belang van Java alsook in het belang van de Indo zelve, de Indo-gemeenschap zich op een dwaalspoor begeeft, ofschoon zij toch geboren en getogen zijn op Java en geen ander vaderland dan Java bezitten.

De Regering wenst nu een duidelijke verklaring af te leggen ten opzichte van haar houding tegenover de Indo-Europese groep, ter voorkoming van eventuele misverstanden. Het doel der Regering is, aan de Indo-Europese groep een plaats te verschaffen als een deel van de gemeenschap van Java en zal hen in de gelegenheid stellen, mee te doen aan de oorlogsinspanning.

1) Groot Oost-Azië.

Werkelijk, hoevele Indo-Europeanen zijn er niet, die steeds voortgaan daden te verrichten, die ongespast geacht moeten worden! Toch behaagt het der Regering aan de Indo-Europese groep een gelukkig ingezetenschap te verschaffen, aangezien de Regering zich over het betere deel dezer gemeenschap wenst te ontfemen en zal zich bovendien ruimschoots het lot aantrekken van het grootste deel van hen, die zich nog verward voelen, zij zal zich over hen ontfemen gelijk een moeder over haar kind, totdat zij volkomen tot inkeer zijn gekomen en zullen gaan meedoen aan de oprichting van hun vaderland, ja, dit is een tijdperk dat voor hen in het verleden nog nimmer is aangebroken.

Het verzoek der Regering aan de Indo-Europeanen, die nu in de gelegenheid gesteld zullen worden om een deel uit te maken van de ingezetenen van Java, is het volgende:

1. Zij moeten wegwerpen hun rassenhoogmoed en bovendien hun hoop op de Nederlandse Regering laten varen. De Indo-Europese groep is verwaand vanwege hun bloed zich vermengd heeft met het bloed der blanke rassen en daarvandaan matigen zij zich een verwaande houding aan, die ten opzichte van de Indonesiër geen nut heeft, bovendien koesteren zij diep in hun hart hoop in verband met de Nederlandse Regering, ofschoon zij toch onder de Nederlandse Regering niet dezelfde positie genoten van den Volbloed, en hun levensmogelijkheden steeds beknot werden en zij als stiefkinderen behandeld werden. Deze feiten toch zijn door de Indo voldoende ondervonden geworden. De Regering heeft diep medelijden met hen, die een dergelijk lot hebben moeten ondergaan. De Regering koestert dan ook de oprechte wens dat de Indo-Gemeenschap ten volle zal beseffen dat zij behoren tot de volkeren van *Asia Timoer Raja* en hun rassenhoogmoed, die toch geen zin heeft, over boord zullen gooien, ook is het nutteloos hoop te koesteren op een terugkeer van de Nederlandse Regering, die opgehouden heeft te bestaan.

2. Zij moeten ophouden zich zelf moeilijkheden om de hals te halen en zichzelf levensmogelijkheden scheppen.

In het oorlogsprobleem van *Asia Timoer Raja* werd de Indo verblind door de schone woorden van hun voormalige regering. Daarvandaan, toen in de tijd van verwarring het Japanse Legerbestuur Java bezette, verloren zij hun richtsnoer, als wezens waarvan alle hoop verloren ging ten opzichte van de oprichting van *Asia Timoer Raja*, en hebben zij weer hun ijdele hoop gevestigd op een terugkeer van de Nederlandse Regering vanwege zij niet meer in staat waren hun levensafhankelijkheid te herwinnen die met de dag zwaarder werd. Zij moeten echter geen dromen dromen die toch niet verwezenlijkt zullen worden en hun

uitstralende deugd van het Keizerrijk en met het bewaren en bewaken van de Keizerlijke Troon door de belichaming te zijn van de goddelijke militaire geest.

Datgene wat steeds dienstbaar is aan het Grote Verheven Hart ¹⁾, wat in de rechtvaardigheid militair en in het militaire menselijk is, en wat de algemene vrede in de wereld vertegenwoordigt, dat is de goddelijke militaire geest ²⁾. Het militaire behoort strikt te zijn, de menselijkheid moet noodzakelijk alomvattend zijn. Mocht er een vijand zijn, die zich op een of andere wijze zou verzetten tegen de Keizerlijke weermacht, dan moet de militaire invloed ³⁾ zich krachtig doen gelden en de vijand op besliste wijze worden vernietigd. Zelfs al zou door zuivere invloeden ⁴⁾ de vijand tot onderwerping worden gebracht, dan is moeilijk te zeggen, dat deze reeds volkomen is, indien onderwerping, bestaande een gehoorzamen zonder strijd, gebreken vertoont ten aanzien van de deugd van de naastenliefde. Indien het militaire niet hoogmoedig en de menselijkheid geen uiterlijk versiersel is, zal eerbied afge-

¹⁾ Het Keizerlijk innerlijk.

²⁾ *Sei*, lett. rechtvaardigheid, onbuigbaarheid, gerechtigheid, een van de morele deugden, evenals verderop *jin*, de morele deugd van menselijkheid. De weermacht als geheel beschouwd bezit dus volgens dat punt ook morele deugden, n.l. de rechtvaardigheid, de „omvattende“, naar buiten zich tonende deugd en de menselijkheid de uit het innerlijk voortkomende deugd, die gezamenlijk de grote harmonie vertegenwoordigen. Deze grote harmonie gevoegd in het goddelijke keizersprincipe is de geest van het goddelijk militaire. (Algemene vrede en de grote harmonie is in het Japans hetzelfde begrip).

³⁾ Ietf, de goddelijk-innerlijke invloeden van het militaire moeten tot uiting komen.

⁴⁾ de streng-strikte invloed van het goddelijke, de deugd der gerechtigheid.

ogen niet sluiten ten opzichte van de sprekende feiten, i.e. ten opzichte van *Asia Timoer Raja* en zijn volk, die zijn grondslagen reeds krachtig gevormd heeft.

Men bedenke, dat de Indo geen vaderland heeft, zowel voor zich zelve alsook voor zijn nazaten, behalve dan dat van *Asia Timoer Raja*, daarom dienen zij volkomen te beseffen, dat er voor hen geen andere uitweg is dan één te worden met de volkeren van *Asia Timoer Raja* en met hen de zware last te torsen van de oprichting van *Asia Timoer Raja*, opdat zij in de toekomst deel mogen uitmaken van het volk van *Asia Timoer Raja*.

3. Zij dienen te weten, dat dit hun heilige plicht is. De Regering begrijpt zeer goed dat vele Indo's hun betrekking verloren hebben en geen middelen van bestaan hebben. Gedachtig aan hunne moeilijkheden, die hun noodlot zijn geworden, heeft de regering nu enige maatregelen getroffen, doch of deze maatregelen goede resultaten zullen afwerpen zal louter afhankelijk zijn van de houding en het inzicht van de Indo Europeanen zelf.

Thans is het gehele volk van *Asia Timoer Raja* één in zijn streven om een nieuw *Asia Timoer Raja* te vormen en zal met hart en ziel zich scharen onder de bescherming van Zijn VERHEVENE. Reden waarom ook de Indo met hart en ziel mee moet doen en een lid worden van het Nieuwe *Asia Timoer Raja* en moet beseffen dat dit zijn heilige plicht is.

Het bovenstaande kan in het kort als volgt samengevat worden:

De richtsnoer waaraan de Regering zich onverwijd zal houden is, dat strenge maatregelen genomen zullen worden tegen degene die vijandige daden zullen verrichten, doch de Regering zal de positie van de goedwillige ingezetenen beschermen en verbeteren.

Reden waarom de Indo-Europeanen goede nota dienen te nemen van de plannen der Regering en moeten zij als ingezetenen van Java met hart en ziel samenwerken om een nieuw Java, dat toch hun vaderland zal worden, te vormen.

dwongen worden door zichzelf hiervan innerlijk te doordringen. Het sociale karakter van het Keizerlijk leger komt door het naast elkander optreden van zuiverheid en zachtheid tot uiting en doet allen doorschijnend opzien naar de goddelijk Keizerlijke Deugden.

3. Discipline.

Het goddelijk innerlijk van de discipline van het Keizerlijk leger bestaat slechts door de sublieme geest van volstrekte volgzzaamheid, die men aanbiedt aan de Hoge Keizerlijke Opperbevelhebber. Hooggeplaatsten en laaggeplaatsten moeten gelijkelijk innerlijk doordringen zijn van de zuivere bedoelingen van de Opperbevelhebber; de hooggeplaatsten moeten op waardig-strenge wijze hun grote rechten in ontvangst nemen en uitoefenen, de lagergeplaatsten moeten eerbiedig de gehoorzaamheid tot volmaakte innerlijke waarheid maken.

De onverbreekelijke draad, die onderling de band knoopt van loyale oprechtheid en het afwezig zijn van zij het ook de geringste verwarring onder het eenhoofdig bevel van de gehele weermacht, is de noodzakelijke voorwaarde van een overwinning in het gevecht en in werkelijkheid een axioma voor het behoud van orde en rust.

Het slagveld is in het bijzonder de plaats, waar de geestelijke inhoud van de gehoorzaamheid zich tot een praktisch ideaal ontwikkelt. Terwijl men geplaatst is tussen dood, leven en lijden werpe men zich opgewekt op het veld des doods en biede men stilzwijgend de realiteit van het offer van het eigen lichaam. Dit is in waarheid de geestelijke bloem van de geestelijke inhoud van de militair.

4. Saamhorigheid.

De weermacht ziet naar de Verheven Keizerlijke Opperbevelhebber, zijnde haar hoofd, op. De weermacht belichaamt het gevoelsvolle Heilige denken, zij brengt in harmonie de diepste gevoelens van loyaliteit en oprechtheid en zij moet komen tot de verwerkelijking van één ziel en één lichaam.

Terwijl een militaire beveling zich richt naar de grondprincipes van de bevelhebber, moet zij met de afdelingscommandant als kern onafgebroken de volledig harmonische saamhorigheid hecht doen zijn. Een ieder, hoog en laag, moet strikt aan deze plicht vasthouden, en ieder moet steeds de inzichten van de afdelingscommandant volgen, in het innerlijk van anderen oprechte gevoelens leggen en, zich boven dood of leven, voordeel of nadeel stellende, behoort een ieder geestelijk bereid te zijn ten behoeve van het geheel zelf in het niet te verdwijnen.

5. Samenwerking.

Een ieder behoort, terwijl het hart van alle soldaten tot één samengevoegd is, bij het vervullen van de eigen diensten ten behoeve van de overwinning van de gehele strijdmacht op opgewekte wijze een zichzelf verloochende geest van samenwerking te vertolken.

Alle afdelingen behoren onderling, terwijl zij elkanders werkzaamheden hoog schatten, elkaars goede naam te eerbiedigen en onderling elkander te vertrouwen en te helpen. Alle afdelingen zullen bij het ondervinden van moeilijkheden bij het eigen voortgaan, door onderling de gevoelens van samenwerking te dragen, voor het bereiken van het doel moeten vechten met uiterste krachtsinspanning.

6. Aanvalsgeest

In het algemeen behoort het gevecht doordringen te zijn met moed en durf, maar steeds onafgebroken met aanvalsgeest. Bij de aanval is het onvermijdelijk, dat men beslist en actief een voor-sprong op de vijand neemt en hem krachtig en onbedwingbaar vernietigt. De verdediging belemmert de juiste stemming voor de aanval; behoudt steeds uw vrijheid van handelen! Al moet gij sterven, weest op het slagveld nooit de mindere van de vijand! De achtervolging moet op besliste wijze tot de laatste fase worden voortgezet.

Weest in uw dadendrang niet bevreesd voor de vele gebeurtenissen, handelt in moeilijke omstandigheden rustig en vastberaden, overwint de moeilijkheden doortastend en zonder te buigen. Gij behoort, alle hindernissen uit de weg ruimend, voortwaarts te gaan met al uw gedachten gericht op het verkrijgen van de overwinning.

7. Het geloof in de overwinning

Geloof is kracht. Strijders, die door het geloof in zichzelf onbevreesd zijn, zijn steeds de overwinnaar.

Het geloof in de overwinning ontstaat door een volledige, tot het uiterste geperfectioneerde opleiding. Onder alle omstandigheden zal het gebruik van ieder vrij moment en de geestelijke inspanning ten stelligste de werkelijke kracht van het overwicht op de vijand doen wassen.

De overwinning of de nederlaag hangen samen met de opbloei en het verval van het Keizerrijk. Terugziende op de geschiedenis van ons glorieuze leger, wordt ons door de doorlopende lijn van honderd oorlogen en honderd overwinningen onze verantwoordelijkheid ingegrift, dat in ieder geval een nederlaag tot de onmogelijkheden moet behoren.

Voorschrift II

1. Vroomheid

De hemel geeft het getuigenis van het goddelijk onzienlijke, dat boven ons is.

Offer de oprechtheid van een diepgevoelde vroomheid met een onveranderlijk innerlijk en met een moreel ontwikkeld lichaam, begeef u steeds in meditatie voor loyaliteit en kinderliefde, waardoor gij niet beschaamd behoeft te zijn voor de hulp van de Goden, waarvan gij afhankelijk zijt ⁵⁾.

2. De morele leerstelling van de Kinderliefde

De sublimatie van de morele deugden van het Rijk is te vinden in de uit één wortel ontstane loyaliteit en kinderliefde. Een ridder, die loyaal oprecht is, is ten stelligste een plichtsgetrouwe zoon met de zuiverste gevoelens.

Het slagveld belichaamt in de diepste zin de wilsuitdrukking van vader en moeder. Dringt door tot het grote principe ⁶⁾ van de opperste verdienste waardoor te verwachten is dat de tradities van onze voorvaderen zich zullen openbaren.

3. Eerbiedsbetoon

De eerbied is de tot openbaarheid gekomen eendracht van hoger en lager geplaatsten, waarbij de zuiverste gevoelens van gehoorzaamheid tot uiting komen. Vooral op het slagveld is het onmogelijk de diepe gevoelens van eerbied te verwaarlozen.

Door innerlijk doordringen te zijn van de geestelijke inhoud van de hoffelijkheid en door zijn gedragingen eerbiedig en strikt juist te doen zijn, zal de correctheid het bewijs zijn van een krachtig met militair gevoel toegerust mens ⁷⁾.

4. De morele leerstelling van oorlogsmakker.

Het morele principe van oorlogsmakker, dat onder het grote principe dood en leven onderling verbindt, dat de diepste gevoelens van onderling vertrouwen opwekt, dat voortdurend tot grote ijver en werkzaamheid aanzet en dat in geval van nood de onderlinge steun is, wordt gevonden in het gezamenlijk vervolmaken van de militaire plicht, door onderling elkaar onveranderlijk op fouten te wijzen.

5. Optreden als meerdere

Het kader behoort met toewijding in elk opzicht een voorbeeld te zijn. Wanneer de hogeren fouten begaan, zullen de lageren in verwarring komen.

Het slagveld schat het praktische voorbeeld. Gij behoort, zelf het geheel voorgaande, u onbevreesd te gedragen.

6. Verantwoordelijkheid

De opgedragen taak is goddelijk. Verantwoordelijkheid is buitengewoon belangrijk. Verwaarloost geen enkele van uw werkzaamheden. Wij verwachten van u, dat gij, door u innerlijk te concentreren, alle middelen te baat zult nemen om dit tot volle tevredenheid te bereiken.

Degenen, die de verantwoordelijkheid achten, zijn op het gevechtssveld de dappersten.

⁵⁾ Dit punt geeft in enkele woorden het totaal van de godsdienstige opvattingen van de Japanner. Het contact van de mens met de wereld der goden wordt afhankelijk gesteld van concentratie van de geest (ietf. een recht hart, een innerlijk, dat niet wordt afgeleid door invloeden van binnen en van buiten) en van de morele ontwikkeling, die zich niet laat afleiden door lichamelijke verlangens. Dit wordt bereikt door meditatie over de in de menselijke verhoudingen bestaande geestelijke banden van hoog en laag, n.l. de band van volk tot regeerder (loyaliteit) en de band in het gezin (kinderliefde, de pietit van het kind t.a.v. zijn ouders).

⁶⁾ *Taigi*, het grote principe, de alles overkappende, uit het goddelijke langs de Keizer zich manifesterende deugden.

⁷⁾ De verhouding van de mens ten opzichte van de mensheid (i.e. de militaire maatschappij) uit zich in hoffelijkheid (i.e. in eerbied t.a.v. de mede-militairen) en dit in de hoffelijkheidsuitingen (i.e. in eerbiedsbetoon).

7. Visie op leven en dood.

Datgene wat zowel dood als leven doordringt, is de sublieme geest van die dienst: het als offer aanbieden van het lichaam. Gij behoort u te werpen op de ene gedachte van de vervulling van uw taak, welke gedachte boven leven en dood staat. Gij behoort, terwijl gij de krachten van lichaam en ziel volledig inzet, in volkomen kalmte gelukkig te zijn, te kunnen leven in het eeuwige grote beginsel.

8. Het op prijs stellen van de naam.

Degenen die schaamte kennen, zijn sterk. Door steeds indachtig te zijn aan het aanzien van uw dorpsgemeenschap en uw familie, zult gij, hierdoor geïnspireerd, tenslotte aan hun verwachtingen beantwoorden. Laat als levende de schande van krijgsgevangen gemaakt te worden niet over u komen en laat als dode niet de schuld van een be-smeurde naam achter.

9. Innerlijke houding en mannelijkheid.

Door een juiste innerlijke houding schikt men zich in de toestanden te velde, wordt de mannelijke moraal van de samurai opgewekt en zal een schitterende geestdrift tot openbaring komen.

Het leven op het slagveld moet eenvoudig zijn. Weest steeds indachtig aan het gebrek aan goederen en spant u in, zuinig te zijn met iedere taak. Luxe vreet de geest van dapperheid aan.

10. Onkreukbaarheid en zuiverheid.

Onkreukbaarheid en zuiverheid is de basis, waarop de geestelijke gesteldheid van de door de militaire geest vervulde mens rust. Hoe kunnen

degenen, die zichzelf niet onder bedwang kunnen houden en gevangen worden door stoffelijke begeerten, het offer van lichaam en leven voor het Keizerrijk brengen?

Weest koel en streng bij het in bedwang houden van uw lichaam. Weest onpartijdig bij de beoordeling van zaken. Gij behoort bij uw gedragingen u nimmer behoeven te schamen tegenover de mensen en goden⁸⁾.

Voorschrift III

1. Instructies voor het slagveld.

Eén ogenblik onbedachtzaamheid doet onvoorziene gebeurtenissen ontstaan, weest steeds voorbereid; hiervoor kan niet streng genoeg worden gewaarschuwd.

Staakt iedere minderwaardige behandeling van vijand of bevolking! Weest niet afkerig van zware inspanning door u tevreden te stellen met onbetekende successen! Ook is onoplettendheid de oorzaak van tegenspoed, dit moet gij weten!

Weest oplettend bij de verzorging van uw wapens. Verraders staan altijd aan uw zijde.

De bewakingspostendienst is zeer belangrijk. Het lot van een geheel leger is hieraan toevertrouwd en de discipline van de gehele afdeling wordt er door vertegenwoordigd. Tot dit belangrijke werk behoort gij u op de juiste wijze geroepen te voelen en gij behoort dit in volle ernst te dragen en uit te voeren. De positie van een wachtpost moet diep geëerd zijn.

De psychologische oorlog is een zeer belangrijke zijde van de tegenwoordige oorlogsvoering. Gij behoort met een onwankelbaar geloof in het Keizerrijk niet alleen de bedriegelijke propaganda van de vijand uit te roeien, maar steeds alles te verrichten voor het propageren van de zending van de Keizerlijke weg.

Geruchten en praatjes veroorzaken een verzwakking van het geloof. Dwaalt nooit af van het rechte pad en raakt nooit in verwarring! Gij behoort een vast geloof te hebben in de kracht van het Keizerlijk leger en een diep vertrouwen te hebben in de hogere chefs.

Het is noodzakelijk te zorgen voor de bescherming van vijandelijke goederen en vijandelijke bezittingen.

Vorderingen, confiscaties en vernietiging van goederen mogen slechts volgens de uitgevaardigde bepalingen, en alleen op bevel van de commanderende officier worden uitgevoerd.

Met inachtneming van het grondbeginsel van de Keizerlijke weermacht behoort een ieder de onschuldige bevolking met grootmoedige goedwillendheid liefderlijk te beschermen.

Op het slagveld mag het nimmer voorkomen, dat de drankzucht uw innerlijk verdooft, of dat door hartstochten gedreven gij gewetenloos wordt, hetgeen het stralend geloof in de Keizerlijke weermacht schaadt en fouten doet maken tegen het in dienst stellen van het lichaam. Van u mag verwacht worden, dat gij er streng voor waakt, in geen geval de zuiverheid van de met de militaire geest vervulde mens te bezoedelen.

Onderdrukt de toorn, houdt de ontevredenheid onder controle. „Bedenk dat toorn uw vijand is”, leerden de ouden. Een moment van woede heeft veelal een nasleep van vele dagen van berouw.

De strenge zuiverheid van de militaire wetten steunt de schitterende naam van de militairen, waardoor het stralend geloof in de Keizerlijke Weermacht volledig behouden zal blijven. Herinnert u steeds uw vaste besluit en de diepe gevoelens van het ogenblik toen gij ten aanval optrok, volgt de oprechte gevoelens van uw vader, moeder, echtgenote en kinderen, die in de verte aan u denken, laat in geen geval uw lichaam voor verkeerde daden openstaan.

⁸⁾ Ieder mens, die de militaire geest vertegenwoordigt, moet recht-schapen en rein zijn. Hierdoor zal hij de vleeselijke begeerten in bedwang kunnen houden, d.w.z. niet toegeven aan de aan het lichamelijke gebonden hartstochten of persoonlijke sym- of antipathieën.

2. Slagveld etiquette

Gij behoort de van vroeger tijden overgedragen eerbied voor de militaire geest te cultiveren, gij behoort de militaire deugden te ontwikkelen en u in te spannen bij de training van uw bekwaamheden.

„Laat geen enkel ding u vervelen”, zien wij bij de woorden van een vroegere generaal.

De hoofdzaak is de innerlijke volmaking, die zich, door verbreken van de zorgen van vroeger, slechts wijdt aan de leerstelling van de dienst aan het hogere en die, door steeds het dagelijks leven in orde te houden, het hiernamaals zuiver houdt.

Dat de stoffelijke resten van ons lichaam op de gevechtswaarden zullen blijven is iets, waarop ieder militair vanzelfsprekend geestelijk ingesteld

moet zijn. Dientengevolge moet men de familie op flinke wijze, zonder dat dit ons innerlijk raakt, tevoren mededelen, dat het gebeente niet zal worden teruggezonden.

Buitengewoon veel zorg baart het ten slachtoffer vallen aan het zielestroom. Speciaal dient aandacht besteed te worden aan de hygiëne en het mag nimmer voorkomen, dat men door verwaarlozing van de gezondheid hindernissen aan de dienst van het hogere in de weg stelt.

De diepste kern bij de innerlijke weg tot volmaking van de oude samoerai's was gelegen in het begrip, dat zij hun zwaard als hun ziel beschouwden en hun paard tot een kostbaarheid maakten. Houdt op het slagveld uw wapenmateriaal steeds in hoge ere en verzorgt in liefde uw paard!

De oorzaak van de gevechtskracht is te vinden in de morele deugden te velde. Gij moet steeds aan de bevoordeling van andere afdelingen denken en gij behoort af te zien van een uitzonderingspositie bijv. met barakkenmateriaal.

Er is gezegd: „Een staande vogel vertroebelt het spoor niet”. Gij zijt degenen, die heldhaftig de naam van de bewonderenswaardige Keizerlijke weermacht voor de eeuwigheid in vreemde dorpen en verre gronden zult moeten overbrengen.

In het algemeen gesproken: verheft u niet op grote militaire daden, een hooggestemde militaire traditie uit zich in het overdragen van de eer aan andere mensen.

Weest niet jaloers op de onderscheiding van anderen, weest niet ontevreden, indien gijzelf niet erkend wordt; gij moet, terugziende, denken aan eigen onvolkomenheden.

Stelt als uw doel in iedere zaak rechtschapen te zijn, schaamt u voor grootspraak en leeg gepraat.

Gij behoort vast te houden aan uw waardigheid als lid van een grote staat, gij behoort oprecht te zijn en het morele principe tot uiting te brengen, de goddelijke traditie van het Keizerrijk in de wereld te propageren.

De internationale etiquette moogt gij niet gering-schatten.

Indien men de gunst van het Keizerlijk bevel deelachtig wordt, als overlevende uit de vele doden naar huis te mogen terugkeren, moet men in volheid de gedachte wijden aan de zielen dergenen, die bij de bescherming van het Rijk hun lerven gaven en in woord en daad een voorbeeld zijn voor het volk, en tenslotte de geestelijke bereidheid van het zich in dienst stellen van het hogere verstevigen.

Besluit

Datgene wat hierboven is gezegd, is volledig in het Keizerlijk Edict neergelegd en het geeft niet meer dan dat. Dit zo zijnde draagt het bij tot het in de praktijk brengen van de morele principes op het gevechtswaarden, waardoor een volledig volgen van en zich gedragen naar de Heilige woorden verwacht zal kunnen worden.

Officieren en soldaten op het slagveld, belichaamt onder alle omstandigheden deze doelstellingen, munt uit tenslotte in de volmaakte waarheid van de dienst aan het hogere. Door uw plicht als goed militair in volkomenheid te verrichten, moet gij aan de innigheid van de Keizerlijke barmhartigheid beantwoorden.

Hoe een Japans commandant zijn gedeserteerde manschappen poogde terug te halen. Tekst van een oproep van de bevelhebber van de 32ste divisie.

Aan allen, die nu reeds gedurende lange tijd buiten de bezettingszone het onvrije leven voortzetten, maak ik het volgende bekend.

Op het ogenblik zijn op het Lente-eiland in de streek van de Washire-baai 40.000 man verzameld. Opgevoerd leven zij. Van dag tot dag wachten zij op de transportschepen, die eerstdaags de havens zullen binnenvallen. Dag noch nacht drukken hen zorgen. Maar kan men van U ook zeggen, dat U een leven gelukkig is? Moet gij niet in regen en koude rondlopen, hongerig, en vluchtend voor de kwaadwilligheid der landelijke bevolking?

Denkt toch aan Uwe vader, moeder, vrouw en kinderen, die in het vaderland op U terugkeren wachten! Vergeet niet, dat U krijgsmaakt, die lief en leed met U gedeeld hebben, iedere dag reikhalzend naar U terugkeren uitzien.

De bataljonscommandant bemint U. Hem heeft het Rijk U lichamen toevertrouwd. Vurig hoopt hij, dat U weer naar Uwe bataljon zult terugkeren. Naarmate de maanden en dagen van Uwe afwezigheid zich rekken, wordt hij veelvuldiger geplaagd door dromen, waarin Uwe belangen hem voortdurend voor de geest zweven.

Krijgsmakers — dag en nacht hebt ge met ons de ontberingen van de oorlog gedragen. Laat ons nu tezamen het geluk van de vrede genieten. Geliefde makers — keert terug, zo spoedig mogelijk.

23 December 1945

De commandant van de 32ste divisie
Ishii Kaei

Tjilatjap, 19 Juni 2602.

Orders van den Japanschen Kampcommandant.

1. Dag-indeeling.

Reveille	7.30	waarna onmiddellijk (d.w.z. binnen 1 à 2 minuten) aantreden en appel gehouden wordt op de aangewezen appelplaatsen.
Eten halen	8.30	
Aantreden werkpoevee	9.30	
Ziekenrapport	9.30	
Eten halen	1.--	
Aantreden werkpoevee	2.--	
Aflossing kampwacht	5.--	
Appel	5.30	
Eten halen	7.30	
Avond appel	9.--	
Lichten uit	10.--	

2. Voorschriften van diversen aard.

- Er mag niet op muren geschreven of geteekend worden en er mogen geen platen of andere papieren aangeplakt of gekleefd worden.
- Buiten mag niet gerookt worden. Op de ohambres's wel, doch geen asch of sigaretten eindjes op den grond werpen.
- Na 10 's avonds mag niet meer gerookt worden tot 7.30 's ochtends.
- Er mag niet over het prikkeldraad gesproken worden met buitenstaanders. Het is verboden briefjes over het prikkeldraad te werpen of andere dingen aan te nemen van buiten.
- De straf voor het niet opvolgen van bevelen is, het afhakken van de handen. Dit geldt ook voor het overschrijden van het verbod, buiten te rooken. Ook voor het geringste diefstalletje zullen den schuldige de handen worden afgehakt.
- Voor het niet opvolgen van bevelen worden ook de commandanten verantwoordelijk gesteld.

De Commandant



Voorbeeld van Japanse orders, doorgegeven aan de krijgsgevangenen in het kamp Tjilatjap (Zuid-Java).

Ter perse :

Prof. Dr P. H. WINKELMAN

HEUSDEN GETEISTERD EN BEVRIJD

met een inleiding door

Prof. dr Z. W. SNELLER

Monografieën no 3

Te bestellen bij de boekhandel of rechtstreeks bij de uitgevers, N.V. Martinus Nijhoff, Lange Voorhout 9, 's-Gravenhage

JAPAN EN DE RADIO

De radiouitzendingen van de Nirom werden altijd besloten met het „Wilhelmus”. Ook na de overgave is men dat blijven doen. Het kon niet anders, of de Japanners moesten daar achter komen. Als slachtoffers vielen drie Nirom-employé's: nl. de heren Kusters, Kudding en van der Hoogte. Zij zijn omstreeks 7 April 1942 door de Japanners geëxecuteerd.

Dit is een van de bijzonderheden, verhaald in het hiervolgend fragment uit een manuscript betreffende de gebeurtenissen in bezet Indië, geschreven door de heer C. Ricardo.

Het ligt voor de hand, dat de radio, het moderne propagandamiddel bij uitnemendheid, van den beginne af aan de volle belangstelling der bezetters heeft gehad.

Direct na de Japanse bezetting werd afgekondigd, dat het verboden is naar de buitenlandse radio te luisteren. Dit verbod werd evenwel vrij algemeen genegeerd en eerst geleidelijk aan en dan nog alleen toen enkele doodstraffen waren toegepast op overtreders, opgevolgd. Toch blijven er nog heel wat clandestiene luisteraars over.

Over de radio-toespraken vanuit Australië, gehouden door onze uitgeweken regeringsmannen, is men niet al te best te spreken. De stemming ten aanzien van deze autoriteiten is, misschien niet altijd redelijk, doch begrijpelijk, verbitterd en eerlijk gezegd hebben wij zo langzamerhand genoeg van al die mooie toespraken; tot dusver zijn deze in vele opzichten misleidend geweest, om het niet al te cru te zeggen.

Enigszins smalend wordt dan ook gezegd: „Wanneer wij met praten en lange redevoeringen den oorlog konden winnen, waren wij al lang overwinnaar geweest”.

Reeds in verordening no. 2 van 7 Maart 1942 der Japanners wordt bepaald, dat het verboden is „te luisteren naar vijandelijke radio-uitzendingen”. Ik geloof niet, dat de eerste dagen van de bezetting enig respect voor dit verbod heeft bestaan; een ieder luisterde naar de B.B.C., San Francisco, Radio Oranje en Australië, vanwaar toen eveneens een Hollandse uitzending plaats vond. (Later werd gesproken over de B.B.C. als de Bruine bonenclub, over San Francisco als de Suikerfabriek, ten einde niet gehoord te worden als men het over deze buitenlandse stations had).

De gehele N.I.R.O.M. was vóór de bezetting met de regering naar Bandoeng geëvacueerd, en vanuit Batavia hadden alleen B.R.V.-uitzendingen plaats. Reeds enkele dagen na de capitulatie werden de Nirom-experts per auto naar Batavia gebracht, alwaar zij alles in orde moesten maken om vandaar uit de uitzendingen te hervatten; nog vóór einde Maart was dit voor elkaar.

De uitzending te Bandoeng was de eerste dagen na de overgave zeer eentonig; men had in Bandoeng blijkbaar weinig gramfoonplaten en zo werden dag aan dag immer weer dezelfde platen afgedraaid. Daar tussendoor werden tot drie, vier keer toe de bekendmakingen van de Japanse opperbevelhebber rondgeroepen, en deze waren uiteraard voor ons Hollanders niet opwekkend; bevelen aan de gecapituleerde militairen, verboden en aanwijzingen voor de bevolking enz. enz. Enkele dagen lang werd de radio dagelijks urenlang in beslag genomen door het rondroepen van

familieberichten; een, het moet eerlijk worden bekend, sympathieke en misschien wel politieke geste der overweldigers.

Het eerste incident op het gebied der radio vond plaats, toen enkele keren het Wilhelmus ten gehore werd gebracht. Hierover verscheen in „Pemandangan” van 9 April 1942 het volgende stukje:

BEKENDMAKING VAN HET JAPANESE LEGER

Toen het eiland Java in handen viel van het Japanse leger en de macht werd overgegeven

Men kan aannemen dat de woorden „Vught”, „Februari-staking” en „Rauter” bij ons volk zeer bepaalde en levendige herinneringen oproepen. Vrijwel ieder van ons heeft immers aan den lijve de last der Duitse bezetting gevoeld en woorden als de bovenstaande zijn begrippen geworden voor de Nederlander. Spreekt men daarentegen van de „Dodenspoorlijn”, de „Slag in de Java-zee” of de „Indische interneringskampen”, dan is de reactie veel flauwer en blijken tenslotte enige vage en veelal verkeerde beelden te zijn overgebleven van oorlog en bezettingstijd in het toenmalige Nederlands-Indië.

En toch is wat daar gebeurde in de jaren '40-'45 van evengroot belang als de geschiedenis van Nederland in die periode, temeer waar in Indië het accent nog sterker viel op de internationale verhoudingen en de daaruit voortvloeiende problemen. Ons Instituut heeft van den aanvang af begrepen dat het noodzakelijk zou zijn een **chronologisch overzicht** samen te stellen om beter het onderling verband te kunnen zien tussen het gebeuren in en nabij Oost-Indië en het overige deel van Zuid-Oost-Azië en de Zuid-West-Pacific, zulks tegen de achtergrond van het gebeuren in de rest van de wereld en met behulp van deze chronologie, die men kan zien als de korte inhoud van het a.h.w. achteraf geschreven „Dagblad van Oost-Indië”. Van dag tot dag, soms zelfs van uur tot uur, worden diverse acties vastgelegd.

Op initiatief van het eerste hoofd van de afdeling, Mevr. Dr. E. E. de Jong-Keesing, belastte de heer A. G. Vromans zich met de samenstelling der chronologie. Als eerste en voornaamste eis werd gesteld dat de chronologie onverbrekkelijk verbonden zou zijn aan de bronnen, zodat dus van iedere aantekening onmiddellijk kon worden nagegaan waaraan

aan en overgenomen door de Japanse autoriteiten, werden er toch nog daden van sabotage gepleegd door enkele Hollandse ingezetenen. Ofschoon op dit eiland reeds de Japanse vlag wapperde, zond de Nirom te Bandoeng nog steeds het Hollandse nationale lied, het Wilhelmus, uit van 9 t/m 18 Maart 1942. Dit hoogst onbehoorlijke gedrag is in strijd met de internationale bepalingen. Een nauwkeurig onderzoek, geleid door Japanse autoriteiten, toonde aan, dat bedoelde handeling met opzet werd bedreven. Onder hen, die zich hieraan schuldig hebben gemaakt, bevonden zich drie Hollandse Nirom-employés; zij zijn aan hun strenge straffen niet ontkomen.

Thans is bepaald door de Japanse legerautoriteiten, dat zulke slechte gedragingen zullen worden bestreden met de strengste straffen.

Ik hoorde, dat de Heer Kusters, de algemene omroepster der Nirom, en een tweetal employé's het slachtoffer van hun heldhaftig verzet zijn geworden.

Al heel spoedig werd de radio grotendeels op de inheemse, maleis-sprekende bevolking ingesteld, en in 't Hollands zijn nog slechts zeer korte uitzendingen; nieuwsberichten, nieuwscommentaar, voorlezing van een verordening

ONZE INDISCHE CHRONOLOGIE

Een werkstuk van het Instituut voor de Geschiedenis van de Oorlog

zij ontleend was. Daarnaast moest van elk gegeven worden aangetekend, in hoeverre het betrouwbaar was of niet.

Door de oorlogsomstandigheden was een normale wijze van voorlichting, althans wat Indië zelf betrof, vrijwel onmogelijk; daardoor konden de oorspronkelijke, authentieke stukken uit de collectie lang niet altijd voetstoots als juist worden aangenomen. Derhalve werd bij elke notitie de graad van betrouwbaarheid aangegeven.

Om het geheel overzichtelijker te maken werden verder de feiten in drie rubrieken gerangschikt: het gebeuren in de wereld (voor zover het van invloed was in Z.O. Azië), in Indië, en in de internerings- en krijgsgevangenkampen.

De lijst van het materiaal gebruikt voor de chronologie, de **Bronnenlijst**, kan zeer wel dienen als literatuur-opgave, vooral voor hen, die reeds enigermate met de stof op de hoogte zijn. Het aantal gedrukte bronnen (boeken, tijdschriften, kranten etc.) maakt een aanzienlijk deel uit van het verwerkte materiaal. De overgrote meerderheid van de boekwerken is in de Bibliotheek van het Rijksinstituut aanwezig. Er is bovendien verband gelegd met de registratie van de documenten der Indische collectie, zodat de weg naar die stukken geopend werd.

Sedert September 1946 zijn ongeveer 2000, soms zeer omvangrijke, bronnen bewerkt, wat leidde tot het opnemen in de kroniek van ongeveer 40.000 inscripties; dat zijn dus korte samenvattingen van de feiten, in de bronnen

of bekendmaking. Wel wordt doorlopend goede Westerse muziek ten gehore gebracht.

De nieuwsberichten en het nieuwscommentaar zijn uiteraard sterk gekleurd, hetgeen zal blijken uit een excerpt van buitenlandse nieuwsberichten, de meer dan venijnige vrouwelijke omroepster in het Hollands kreeg al spoedig de bijnaam van „baboe bohong” (= de liegende baboe).

Op 16 April 1942 verscheen in „Pemandangan” het volgende bericht over het ter dood brengen van drie Hollanders, die naar buitenlandse radio-uitzendingen geluisterd hadden:

„..... Drie personen, namelijk Molenbaas, oud 36 jaar, Klaas Raderboom, oud 28 jaar, en Maarten Kronenberg, oud 45 jaar, zijn op 13 dezer op heterdaad betrapt, toen zij luisterden naar de radio-uitzendingen van Sydney en van de B.B.C. Zij werden zwaar gestraft en hun familieleden treuren nu om hun misdaad, doch een eenmaal begane misdaad kan niet hersteld worden. Het Japanse leger is als een liefhebbende vader voor hen, die zijn bevelen opvolgen; Uw geluk in de toekomst zal geheel afhangen van Uw trouw aan het Japanse leger. Vergeet intussen niet dat zij, die de bevelen van het Japanse leger niet opvolgen, zwaar gestraft en onherroepelijk in het ongeluk gestort zullen worden.”

IE CHRONOLOGIE

an het Rijksinstituut

vermeld. Men is overigens reeds aan de derde revisie bezig, want er komen nog steeds nieuwe aanwinsten en publicaties binnen, die niet terzijde gelaten kunnen worden, omdat zij vaak weer een geheel nieuw licht werpen op zaken, waarvan men veronderstelde dat zij „zo en niet anders” waren. Tevens huldigde men het wijzebeginsel: *testis unus testis nullus*, oftewel een feit kan niet slechts door één persoon worden waargemaakt. Elke notitie verwijst zo mogelijk steeds naar meer dan één bron.

Uiteraard werd vooral gezocht naar gegevens afkomstig uit Indië, Japan of China en daarnaast naar die van waarnemers ter plaatse.

Naast de Algemene Chronologie wordt ook gewerkt aan een **Maritieme Chronologie**, die uitsluitend de zeeschiedenis in het Verre Oosten behandelt en die hetzelfde systeem volgt als dat van de Algemene. Dat dit een bruikbare methode is, blijkt wel uit het feit dat het Ministerie van Marine het door de heer Vromans opgezette systeem heeft aangenomen bij het vervaardigen van een Chronologie voor de maritieme geschiedenis van het Westen.

Ieder die enige studie wil maken van het gebeuren in Oost-Azië in de periode 1936-1946 kan reeds veel nut hebben van de Algemene Indische Chronologie, al is het werk nog lang niet voltooid. Zij kan op het Rijksinstituut geraadpleegd worden naast overeenkomstige werken als de „Chronology of the Second World War” (Royal Institute of International Affairs — Londen — 1947) en de „Chronologie du Conflit Mondial” (Roger Céré, Charles Rousseau — Parijs — 1935). E. van Hoorn



PROCLAMATIE.

1. De Japanners zijn verslagen en hebben zich aan de Geallieerden overgegeven.
 2. Het Japansche Militaire Bestuur in Indonesië is door de Geallieerden verantwoordelijk gesteld voor de handhaving van de openbare diensten en het economische leven gedurende de overgangsperiode, voorafgaande aan de komst van de Geallieerde troepen en de overname van het bestuur door het wettige Gouvernement.
 3. Voor de uitvoering van deze taak moet het Japansche Militaire Bestuur de bevelen van het Geallieerde commando strikt gehoorzamen.
 4. Het Japansche Militaire Bestuur moet het leven, de gezondheid en de wettige eigendommen van de ingezetenen van Indonesië beschermen.
 5. Het Japansche Militaire Bestuur zal alle publieke en particuliere eigendommen instandhouden en beschermen.
 6. Alle ambtenaren en burgers moeten medewerken aan de uitvoering door de Japanners van de bevelen van het Geallieerde commando en het wettige Gouvernement ter handhaving of voor het herstel van de openbare rust en orde.
- Alle andere samenwerking, speciaal politieke samenwerking met de Japanners, is strikt verboden.
7. Alle politieke instellingen van een Gouvernementeel karakter en andere politieke vereenigingen in het leven geroepen, gesteund of aangemoedigd door de Japanners, worden niet erkend.
 8. Een ieder die voortgaat met samenwerking met de Japanners of hun handlangers (behalve in de gevallen als bedoeld in sub 6), is een verrader van zijn volk en vaderland en een gevaar voor Indonesië Raja en Moelia.
 9. Een ieder behoort al zijn geestelijke en lichamelijke kracht te verzamelen voor de voorbereiding van de zware taak van herstel en reconstructie, en voor den opbouw van Indonesië Raja en Moelia in samenwerking met het wettige Gouvernement en de zegevierende Geallieerden.

HET GOVERNEMENT VAN INDONESIË.

Proclamatie, welke op 14 September 1945 door Nederlandse vliegtuigen boven Batavia werd uitgestrooid

Binnenkort verschijnt:

HET PROCES CHRISTIANSEN

Bronnenpublicaties, Serie processen no 4

te bestellen bij de boekhandel, of rechtstreeks bij de uitgevers,
MARTINUS NIJHOFF, Lange Voorhout 9, 's-GRAVENHAGE

SONE KENITJI - Japans oorlogsmisdadiger

Op 7 December 1946 werd in Indië Sone Kenitji, oud 36 jaar, kapitein van het Japanse leger geëxecuteerd. Hij was commandant geweest, eerst van het militaire krijgsgevangenkamp van het tiende Bataljon, later van het vrouweninterningskamp Tjideng. De Temporaire Krijgsraad te Batavia had hem op 2 September 1946 ter dood veroordeeld. Een exemplaar van het vonnis is in ons bezit. Wij publiceren een aantal uittreksels, die ten doel hebben, de lezer enig denkbeeld te geven van de toestanden in de interneringskampen, waar tienduizenden landgenoten de moeilijkste jaren van hun leven doorbrachten.

Inleiding

Men is als buitenstaander wellicht geneigd, zich van de Japanse kampen een beeld te vormen dat vrijwel overeenkomt met dat der Duitse concentratiekampen. Er is echter een wezenlijk verschil, al moge de Japanse opzet soms min of meer Duits aandoen. Ging het bij de Duitsers vooral om het uitroeien der Joden en het liquideren van de *Deutsch-feindliche* elementen, de Japanners stelden zich als hoofddoel een volledig elimineren van het Westerse element in de sfeer van Groot-Oost-Azië. Het was met deze opzet dat de burgerinterningskampen werden ingesteld. De Duitse concentratiekampen zijn eerder te vergelijken met de krijgsgevangenkampen in Indië, waar de mannen aan allerlei projecten, zoals met name de beruchte Siam-Birma spoorweg en de minder bekende maar niet minder fatale Pakan-Baroe spoorlijn op Sumatra te werk gesteld werden.

De internering van de Europeanen (Nederlanders) bracht vele consequenties met zich mee, in de eerste plaats voor de Japanners zelf. Zij legden met het interneren van de Europese bevolking tevens het gehele bestuursapparaat van Indië lam. Immers de leidende functies zowel in het particuliere bedrijfsleven als van het gouvernement waren veelal in handen van de Europeanen. De Japanners trokken dus met één slag het gehele bestuur aan zich en poogden toen personen uit de inheemse bevolking voor zich te winnen door hun gedeeltelijk diverse functies over te doen. Dit lukte overigens slechts zeer ten dele en uiteindelijk was slechts een totale ontwrichting van de Indische samenleving het gevolg.

Wat de Europeanen betreft, deze bevonden zich in een soort niemandsland. Want, en dit is vooral psychologisch een belangrijke factor gebleken, terwijl de gevangenen in de Duitse kampen zich als het ware nog vast konden klampen aan de gedachte aan „thuis”, was deze veilige haven geen der Europeanen in Indië gegeven. Iedereen zat immers in een kamp en niemand had ook enige zekerheid over de verblijfplaats van de ander, te minder toen de Japanners in de loop der jaren begonnen met hun beruchte transporten, waarbij de mensen van het ene naar het andere kamp werden gesleept en er van een betrouwbare kamp-administratie geen sprake meer was. Hier kwam bij, dat niet alleen man en vrouw geen contact meer hadden, maar dat evenzo kinderen van hun ouders en speciaal van hun moeder gescheiden werden, eerst alleen jongens van 16 jaar en ouder, later die van 14 en 15 en

tenslotte zelfs jongetjes van 10 jaar. Deze kinderen kwamen dan dikwijls zonder broertjes of vader alleen in een mannen- of jongenskamp terecht en moesten dan maar zien, zich staande te houden. Dat dit veel gevergd heeft van de Europese bevolkingsgroep, laat zich denken. Men moet het grootste respect hebben voor de standvastige houding, die vooral in de vrouwenkampen getoond is.

De internering in de Buitengewesten, de eilanden buiten Java, ging vrij vlot in zijn werk, omdat de Europeanen daar slechts een klein percentage van de bevolking uitmaakten en zij, niet verdacht op internering, geen tegemaatregelen had getroffen.

Op Java zelf verliep de internering door diverse oorzaken in een trager tempo. Het aantal blanken was daar veel groter en de scheidslijn tussen volbloed-Hollander en Indo-Europeaan was moeilijk te trekken. In het eerste jaar van de bezetting kon men nl. nog vrij rond lopen als men kon aantonen dat tenminste een der grootouders een volbloed inheemse was. Omdat de Japanners in de mening verkeerden dat men, in Indië geboren, geen volbloed Hollander kon zijn, ontstond een grootscheeps geknoei, enigszins te vergelijken met de registratie van Joden, half-Joden en kwart-Joden in bezet Nederland. Hier kwam nog bij dat de registratie van de Europeanen niet eenvoudig was voor de Japanners omdat door de „wilde evacuatie” in de oorlogsdagen velen hun oorspronkelijke woonplaats verlaten hadden en bovendien vrouwen en kinderen uit de buitengewesten naar Java gevlucht waren, in de mening daar veiliger te zijn dan buiten.

Toen vrijwel alle mannen geïnterneerd waren, trachtten de Japanners de Europese vrouwen te concentreren door zgn. „beschermde wijken” aan te wijzen, waarheen men een deel van zijn bezittingen mocht meenemen en waar men op „bescherming” kon rekenen. Aangezien de vrouwen deze wijken inderdaad als een toevluchtsoord zagen waar zij nog een vast rustpunt voor hun gezin konden vormen en waarheen de mannen later konden terugkeren, gingen zij maar al te graag. Om de meest bittere desillusie te smaken. Al heel gauw werden de wijken gesloten, kon niemand er meer in of uit en werden de kinderen weggehaald. Tenslotte leefden allen, vrouwen zogoed als mannen, onder de meest onmenselijke omstandigheden, in propvolle huizen (in de grote steden) of in barakken (op de kleinere plaatsen) waar zij nauwelijks slaapruijme kregen, voortdurend ondervoed waren en gedwongen werden werk te verrichten wat vooral de vrouwen vaak

verre boven hun krachten ging. Contact met de eigen familieleden was niettegenstaande de later toegestane, streng gereguleerde briefwisseling, nauwelijks mogelijk. Bovendien kwamen mededelingen slechts sporadisch over, waarbij zij dan nog maanden, soms zelfs meer dan een jaar onderweg waren. Sterfgevallen werden bijna nooit doorgegeven.

En de Japanner? Hoe gedroeg deze zich als opzichter van de kampen? Men kan zeggen: vrijwel gelijk aan de Duitser met dezelfde individuele verschillen, al was het haatgevoel van de Aziaat voor de Westersling geprononceerd, voortspruitend uit het grote minderwaardigheidsgevoel van de Japanner voor de Europeaan.

Kon men in grote lijnen misschien nog van een zekere systematiek spreken, de behandeling van kamp tot kamp was volkomen verschillend en hing grotendeels af van de mentaliteit van de kampcommandant. Het kon heel goed gebeuren dat een Japanner in een typische aanval van razernij (bij volle maan vooral!) een slachtoffer half dood ranselde of schopte en dan 's avonds met een verlegen gezicht, datzelfde slachtoffer tersluiks een doosje cigarettens kwam brengen!

Dat kapitein Sone, kampcommandant van het vrouwenkamp Tjideng in Batavia, zulke zachtere gevoelens niet gekend heeft, blijkt wel uit de diverse getuigenverklaringen, opgenomen in het over hem uitgesproken vonnis, waarvan hieronder enkele gedeelten volgen. Ook al behoorde Sone tot de meest beruchte oorlogsmisdadigers in Indië, de beschrijving van de kamptoestanden onder zijn bewind zijn zeker niet overdreven. In vrijwel alle kampen heersten deze toestanden, zij het gelukkig meestal in iets mindere mate. Men kan zich aan de hand hiervan een kleine voorstelling maken van de omstandigheden waaronder de Europese bevolkingsgroep gedurende drie jaren heeft moeten leven.

Fragmenten uit het vonnis

„Overwegende, dat de getuigen hierboven genoemd immers hebben verklaard,

get. Veenbaas: dat hij bijna dagelijks met beklagde te doen had betreffende voedsel, behuizing en hygiënische condities;

dat beklagde het prototype was van de Japanse Europeanen-hater en zijn misdadige opzet was om blanken intellectueel en fysiek te gronde te richten, waarop hij zich hartgrondig toelagde, dat hij de verslechteringen van het kamp bewerkstelligde door de huizen te overbevolken onder primitieve omstandigheden, onvoldoende voeding, onvoldoende water voor drinken en wassen, de beerputten liet verwaarlozen en de geïnterneerden, vrouwen inbegrepen, tot zeer zware lichamelijke arbeid dwong;

dat beklagde zowel direct als indirect aansprakelijk is voor vele gevallen van overlijden;

dat vele vrouwen en ouden van dagen door hem mishandeld waren en getuige verscheidene keren slachtoffers, die bewusteloos waren geslagen, heeft weggedragen, dat een geval van mevrouw de Jong zo ernstig was, dat zij voor verscheidene weken met

herschudding in het hospitaal heeft moeten verblijven, dat vrouwen en meisjes vaak uren in de brandende zon moesten staan en honderden keren moesten buigen;

dat dokter van Hasselt, meer dan 60 jaar oud, door verblindheid niet snel hebbende gebogen voor beklagde, bont en blauw werd geslagen;

dat de predikant Kater in een klein kamertje met gesloten ramen werd opgesloten,

dat eind September 1944 beklagde voor het gehele kamp, zieken inbegrepen, appel hield van 19 uur tot middernacht, hetgeen den volgende dag werd herhaald van 13.30 tot 23 uur.

get: Dr. van Wulften Palthe: dat beklagde bij volle maan in zijn gedrag onberekenbaar was;

dat de voeding en kampomstandigheden op zijn zachtst uitgedrukt verschrikkelijk waren; het kamp overvol was en vrouwen en kinderen al het werk moesten doen, hetgeen op het rantsoen, dat verstrekt werd, afgrijselijk was;

dat beklagde ondanks het feit, dat er geld in het kamp was, geen verlot tot aankoop van voedsel gaf, hetwelk in zijn macht lag; dat het er op leek, dat een methode van langzame uithongering was aanvaard en elke poging in het werk werd gesteld om het moreel der geïnterneerden te breken;

dat bij de plotselinge verhuizing de vrouwen, die alles zelf moesten dragen, ten slotte uitgeput waren; dat urenlange appels werden gehouden voor allen, zieken inbegrepen, in de zon;

dat een van de ergste vernederingen wel was het afknippen van het haar van vrouwen, soms knielend voor hem, soms door Heiho's *; dat dit een keer gebeurde voor beklagde en enige gasten, allen dronken, die er zich kostelijk om vermaakten,

dat er altijd iemand eigenhandig door beklagde werd geslagen;

dat getuige in Januari 1945 in consult werd geroepen bij een vrouw, die, door beklagde geslagen, leed aan schedelbasisfractuur;

dat niets voor beklagde te gemeen was en hij nooit iets deed om de omstandigheden te verlichten;

dat ongeveer één maand voor de capitulatie, ondanks zijn wetenschap, dat het kamp uitgehongerd was, het voedsel voor 3 dagen werd ingehouden, het binnenkomende brood in goten en gaten werd begraven en onbruikbaar gemaakt voor consumptie;

dat er zeer veel gevallen van overlijden in het kamp waren, waar beklagde zoal niet direct, dan toch indirect verantwoordelijk voor is;

dat in de laatste drie maanden de voeding verre onvoldoende was en dat na de capitulatie het goede voedsel voor velen te laat kwam, omdat hun uitgeleide lichamen de voeding niet meer konden opnemen; dat het verbazingwekkend is, dat er geen gevallen van krankzinnigheid zich voor hebben gedaan;

get: Dr. Marear-Alkema: dat beklagde leed aan vlagen van wildheid bij volle maan, waarbij hij voortdurend dronken was en iedereen in voortdurende vrees voor hem verkeerde; dat hij buiten die vlagen er op uit was het leven voor de geïnterneerden zo zuur mogelijk te maken;

dat hij een geboren organisator van chaos was en de huizen overbevolkte en dat hij elke vorm van ontspanning verbood, terwijl de geïnterneerden langzaam werden uitgehongerd,

dat zijn geliefkoosde bezigheid was het slaan en schoppen; dat op een dag in Maart 1945 de dames van der Hengst en van der Vlerk, omdat hun kinderen niet genoegzaam hadden gebogen, over een afstand van 100 M. in de laan Trivelli werden afgeranseld tot zij bewusteloos waren en de eerste twee dagen geen medische behandeling mochten ontvangen, dat hij de vrouwen urenlang in de brandende zon of in een stortbui aangetreden liet staan;

dat het uitputten van vrouwen voor beklagde een lust was;

dat hij hun zwaar werk opdroeg en in steeds kleinere ruimten opsloot; dat hij hun plotseling liet verhuizen, dat de levensomstandigheden verschrikkelijk waren;

dat de meesten leden aan buikloop, de beerputten

* Leden van inheemse, door de Japanners opgerichte hulpkorpsen. (Naar Oorlogsdocumentatie).



INGEZETENEN VAN INDONESIE

U weet dat sinds de Japanners in Indonesie kwamen, alle Nederlanders en vele andere Nederl-ndsche onderdanen, mannen, vrouwen en kinderen over het gehele land zijn geïnterneerd.

Nu Japan is verslagen zullen deze personen weer bevrijd worden.

Zij hebben onder de langdurige internering veel geleden, en de natuurlijke gevoelens van humaniteit zullen een ieder er toe brengen hente helpen.

Dit spontaan verlangen kan ten uitvoer gebracht worden, als alle burgers, Indo-esiers, Chinezen, Arabieren en andere bevolkingsgroepen comites vormen voor verstrekking van medische hulp, voedsel en bescherming aan deze geïnterneerden, kameraden van een koninkrijk.

Vrouwen van alle rassen in Indonesie worden speciaal verzocht al het mogelijke te doen om dit nobele werk te organiseren en uit te voeren.

Zulk een daad zal den naam van Indonesie voor de Geallieerden werkelijk doen stralen als een natie van hoge beschaving en humaniteit.

Vlugschrift, op 14 September 1945 door Nederlandse vliegtuigen boven Batavia uitgeworpen.

buiten gebruik waren; dat op een der appels voor zieken Dr. Scheltema wegens protest voor een zieke afgeranseld werd;

dat bij het binnenkomen van transporten de binnenkomenden urenlang werden gefouilleerd;

dat beklagde eens drie hongerdagen heeft bevolen en geen voedsel werd verstrekt aan de geïnterneerden; dat hij toen zelf in de keuken het voedsel onbruikbaar heeft gemaakt en het binnengebrachte brood door werkmeters werd begraven;

dat zelfs de zieken en ouden van dagen geen voedsel kregen; dat beklagde zich moet hebben uitgelaten, dat het kamp zich zelf moest liquideren, hetgeen geheel overeenstemde met zijn gedrag;

dat alle honden bij de poort werden verzameld en daar werden doodgeknuppeld of doodgestoken;

dat de capitulatie op 15 Augustus 1945 voor velen te laat kwam, dat medicijnen zeer schaars in het kamp waren en dat ondervoeding de hoofdoorzaak was van de meeste gevallen van overlijden;

get: Dr. Rijkebusch-Lombert: dat gedurende vele maanden het kwantum-voedsel ver beneden het toegestane niveau was tengevolge hebbend voedingsoedeem en avitaminosen, waarvoor beklagde niets deed dan meerdere malen bij beklagde vanwege den geneeskundigen dienst een request werd ingediend, met verzoek om verbetering, doch zonder resultaat; (een bundel requesten overgelegd)

dat op 5 Juni 1945 de voedingsuitgifte werd gestaakt en het aanwezige voedsel en brood vernietigd, hetgeen duurde tot en met 7 Juni 1945; dat er ook geen vuren mochten branden, dat geen directe doodsoorzaken het gevolg zijn geweest, maar deze maatregel een zeer nadeeligen invloed heeft gehad op de zieken en zwakken;

dat de medische verzorging sterk achteruitging, de hospitaalruimte onvoldoende, de watervoorziening onvoldoende was en het sanitair in het hospitaal zeer slecht was; dat er een volkomen tekort aan medicijnen was; dat de bewoning schandelijk slecht was en de hygiënische toestand eveneens, hetgeen zeer slecht was voor buikloopzieken;

dat de mensen urenlang in de brandende zon moesten wachten; dat op 10 of 11 Mei 1945 een Bandoengs transport uren buiten moest wachten en gefouilleerd werd door Heiho's, terwijl beklagde verscheidene vrouwen van dit transport mishandelde, dat in het kamp beklagde veel sloeg, dat tengevolge daarvan Mevrouw de Jong een hersenschudding opliep evenals Mevrouw Hengst, terwijl Mevrouw van der Vlerk zich onder behandeling van een chirurg moest stellen;

dat 70 tot 80 % van de overledenen gevallen van te weinig voedselverstreking zijn geweest; dat beklagde door de ingediende requesten en rapporten met den toestand op de hoogte was;

get: Verhoogt-Staal: dat in het strafhuis een oude dame in een garage op last van den beul Sone — beklagde — werd ingespijkerd; dat dokter van Hasselt dienzelven dag met bloedvlekken op zijn jas werd binnengebracht en hij aldaar werd geslagen;

dat de toestand in het kamp buitengewoon slecht was, herhaaldelijk straf-appels voorkwamen ook voor zwaar zieken; dat een keer het kamp werd gestraft met onthouding van eten gedurende 36 uur, hetgeen voor allen gold, zieken en kinderen inbegrepen, terwijl het toen nog beschikbare voedsel in den grond werd begraven;

dat moeders voor fouten van hun kinderen vrees-

lijk werden mishandeld; dat vier Heiho's in het bijzijn van vier meisjes schandelijk werden mishandeld omdat zij een ploeg werksters in contact lieten met de buitenwereld;

dat op 22 Augustus 1944 kinderen van circa 13 jaar de honden van het kamp moesten doodknuppelen;

get: Muthert-Vrijer: dat getuige blokheidster was; dat de faecaliën-afvoer hopeloos was, de beerputten doorlopend vol en door geïnterneerden moesten worden leeggehaald; dat beklaagde afval en vuil niet liet weghalen; dat de watervoorziening allerbedroevendst was waartegen beklaagde niets deed;

dat het dikwijls gebeurde, dat men op appels, waarop ook baby's meegebracht moesten worden, voor straf een uur lang moesten blijven staan;

dat op 30 September 1944 een appel voor alle zieken werd gehouden, dat tot 's nachts twaalf uur duurde en dat daarbij dokter Scheltema, die het opnam voor een harer zware patiënten, verschrikkelijk door beklaagde werd geslagen; dat toen ook aan een flauw gevallen dame geen hulp mocht worden geboden;

dat aan vrouwen de allerzwaarste corveediensten ook werden opgedragen, zooals drums met eten sjouwen, juist in den tijd, dat de vrouwen volkomen uitgeput waren;

dat op 16 Mei 1945 tien dames lijkisten moesten

maken en meisjes werden aangewezen om fietsen van de Japanners te repareren;

dat er geen godsdienstoefeningen mochten worden gehouden en de geestelijken eerst werden gestraft en daarna overgeplaatst; dat muziek en zang verboden waren en sedert 2 September 1944 de dames 's middags geen rust mochten nemen;

dat beklaagde allerlei gebruiksartikelen en geld heeft weggeroofd, terwijl hij onderwijl nog melkverstreking en pisangverstreking liet inhouden;

dat beklaagde in een huis grenzend aan een kampong, alles kort en klein heeft geslagen, omdat er bloemen naar binnen werden gegooid; dat de oude heer Tettelaar, 69 jaar oud, eerst een pak slaag kreeg wegens vermeende oneerbiedigheid en daarna werd opgesloten voor eenigen tijd;

dat eens een verhuizing van een geheele straat in veertig minuten moest plaats hebben, waarna de slachtoffers eenige dagen later weer terug mochten komen;

dat hij voor straf geheele families over het kamp verspreidde;

dat op 22 Augustus 1944 alle honden moesten worden gedood door geïnterneerde jongens;

dat beklaagde de gewoonte had, onverwachts bij de dames binnen te vallen;

dat hij oude mannen van over de zestig op appèl aan een keuring onderwierp om hen te transporteren, hetgeen op ruwe onbarmhartige wijze ge-

beurde; dat hij vrouwen na ze bont en blauw te hebben geslagen op gruwzame wijze het haar afknipte;

dat beklaagde een der twee keukens zelf vernielde, alsmede de goederen van degenen, die juist verhuizen moesten; dat hij bij werkzaamheden door meisjes dezen geducht had afgerost omdat ze van Bandoeng afkomstig waren;

dat talloze vrouwen die door honger gedreven aan ruilhandel over de gedek hadden gedaan, uitgescholden werden voor al wat leelijk was, waarna de blokheidsters geslagen werden, getuige viel bewusteloos;

dat getuige zelf op onbarmhartige wijze voor het plezier van beklaagde en zijn gasten werd kaalgeknipt; dat hij op dien avond de vrouwen 's nachts heeft laten doorwerken aan de gedek;

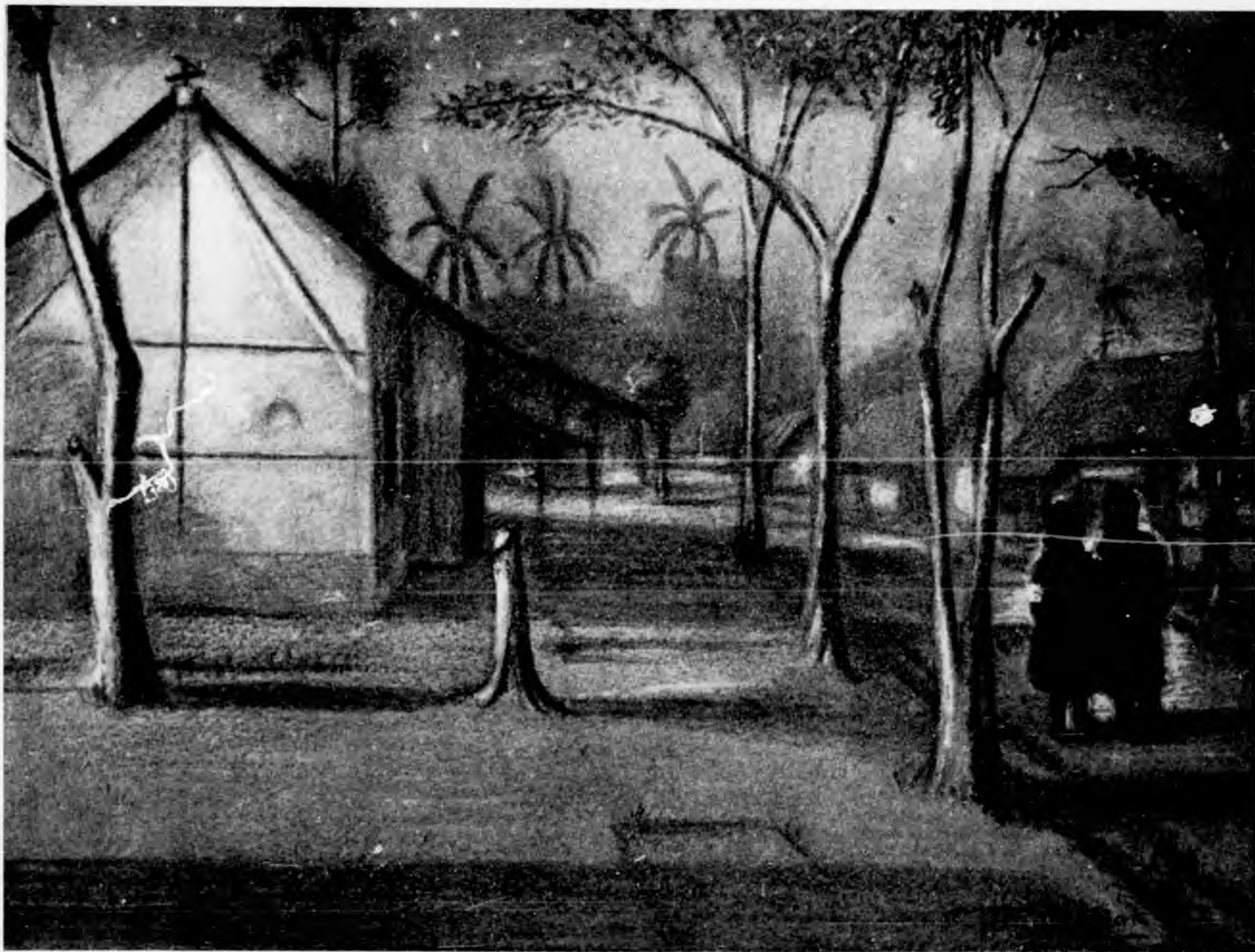
dat voor de mentale afdeling de meest slechte huizen waren uitgezocht;

dat van 5 tot 7 Juni beklaagde de distributie van eten geheel heeft laten stopzetten, terwijl dit zelfde gebeurde op 21 Juni 1945;

get: Cornelisse-van Eendenburg: dat getuige blokheidster is geweest; dat beklaagde bij zijn optreden de vrije passer heeft afgeschaft; dat de toestand in het kamp vanaf October 1944 tot Maart 1945 verslechterde, totdat hij tenslotte ondraaglijk was;

dat ultimo 1944 gedurende veertien dagen in het geheel geen bijvoeding werd verstrekt, terwijl be-

„Fu Sin Bang”, de beruchte nachtwacht, in het kamp Lampersari, waarbij de vrouwen beurtelings twee uur lang moesten rondlopen.
(tekening: Mevr. H. H. Hendricks-Reints Bok.)



klaagde ook de fruitvoorziening voor zieken dikwijls heeft stopgezet;

dat omstreeks Mei, Juni de toestand het ergst was, er toen twee dagen geen eten werd verstrekt, het brood werd ingehouden wegens niet correct groeten; zelf patjollen voor tuinbouw; dat het zijn bedoeling was de vrouwen uit te putten;

dat beklaagde de kampbewoners in een echte angstpsychose bracht, hetgeen hij cultiveerde door er links en rechts op los te slaan en te brullen en te schreeuwen; dat hij naar aanleiding van gedek ruilhandel tientallen dames en sjouwmeisjes verschrikkelijk afranselde en ze daarna kaal knipte op vreeselijke manier;

dat vaak strafappels werden gehouden, die uren duurden ook voor de ernstige zieken; dat hij toeliet dat groote apen losbraken en in het kamp links en rechts beten;

dat beklaagde, hoewel maanziek, zeer goed wist wat hij deed;

get: van der Vlerk-Fens: dat beklaagde haar en mevrouw van der Hengst op 27 December 1944 ernstig had mishandeld, omdat hij meende, dat hun kinderen hem voor Jap hadden uitgescholden; dat deze mishandeling systematisch uitgevoerd werd met rubberhak tot en met de stokken, waarvan hij er drie op hun lichamen had stuk geslagen, waarna zij van het strafhuis naar het hospitaal en weder terug werden vervoerd en ruim drie weken zonder verzorging werden gelaten en dat nog weer eenigen tijd later mevrouw van der Hengst aan hersenschudding bleek te lijden;

get: Willemse-Tromp: dat zij door beklaagde gedwongen werd op haar knieën op het heete asfalt te knielen en hij haar daarna zonder eenige reden van half zes tot 's avonds elf uur in de houding heeft laten staan;

get: Schmale-van Ree: dat getuige tezamen met tientallen andere dames in den nacht van 21 op 22 Juni 1945 door beklaagde met botte tondeuses op barbaarsche wijze het haar werd afgeknipt, terwijl verschillende dames wonden opliepen;

get: van Baarsel-de Rave: dat in Juni 1945 het geheele kamp Tjideng, 10700 man sterk, gestraft werd met het onthouden van, alle voedsel gedurende twee etmalen, en het aanwezige voedsel werd vernietigd;

dat 21 Juni 1945 naar aanleiding van ruilhandel over de gedek op groote schaal aan dames die daaraan, door honger gedreven hadden meegedaan op barbaarsche wijze het hoofdhaar werd geknipt;

dat getuige gezien heeft dat twee dames met afgeknipt haar waarvan een met een bloedende wond in den looppas achter de fiets van beklaagde aan moesten lopen; dat het kaalknippen geschiedde 's nachts gepaard gaande met hevige mishandelingen en uiterste vernederingen;

get: Bolleurs-Joppe: dat in December 1944 een dysenterie epidemie heerschte gedurende welke alle fruit en medicijnen aan de zieken werd onthouden, zoodat er zeven tot negen personen per dag stierven;

dat in het kamp een dertigtal oude bedlegerige oude mannen voor transport naar Grogol op de vrachtwagens geranseld werden, waarvan er verscheidenen binnen vijf dagen overleden zijn;

get: Muller: dat op 30 September 1944 een appèl voor alle zieken gehouden werd van twee uur dertig minuten tot laat in den nacht, bij weke gelegenheid dokter Scheltema-Joustra die het voor een patiënt opnam ernstig werd mishandeld; dat in Maart 1945 de helft van de verpleegsters uit het hospitaal werd ontslagen, terwijl tijdens de wacht eten en drinken verboden was;

get: Twigt: dat hij eens het eten voor de zieken in de keuken onbruikbaar maakte met stenen en enkele elektrische apparaten vernielde zonder reden; dat beklaagde ook de schuld is van de drie hongerdagen;

dat de verpleegsters 's nachts op wacht niets mochten eten of drinken en beklaagde daarvoor eens zuster Hagenaar gestraft had met staan van vijf uur tot negen uur 's morgens;



Woonhokje uit het vrouwenkamp Lampersari te Semarang. (tekening: Mevr. H. H. Hendricks Reints Bok)

get: van Barneveld-Geelkerken: dat beklaagde eens in den nanacht alle zusters, omdat er broodjes ge-roosterd werden, koffie gezet en wat breiwerk gedaan van half vijf tot half negen des voormiddags bij zijn kantoor in de houding heeft laten staan met confiscatie van koffie, breiwerk en een vijftiental boeken;

Overwegende, dat op grond van het bovenoverwogene, willende de door beklaagde gedurende 3 jaren ononderbroken bewust en opzettelijk verstoorte orde en normen van menselijkheid naar juistheid worden hersteld en de weergaloosze perfidie vergolden welke duizenden menschen in diepe ellende heeft gedompeld, welke op geen enkele wijze door den oorlogstoestand voor Japan gerechtvaardigd was, de Raad de straf aan beklaagde op te leggen meent te moeten bepalen op de doodstraf. Gelet op Staatsblad 1946 No. 44, 45, 46 en 47.

Rechtdoende:

Verwerpt de opgeworpen exceptio obscuri libelli; Verklaart den in hoofde dezes genoemden

Sone Kenitji

schuldig aan de oorlogsmisdaden van:

1. Systematische terreur;
 2. Slechte behandeling van krijgsgevangenen;
 3. Slechte behandeling van geïnterneerde burgers;
- Veroordeelt hem tot de doodstraf.

Aldus gewezen den 14den Augustus 1946 bij de Heeren Meesters J. H. Peter, Kolonel, President, Mr. E. Rijkmans, Kapitein en Major British Army J. F. Hartman, Leden in tegenwoordigheid van Mr. J. G. H. van der Starp, 1e Luitenant, Secretaris en geresumeerd en gearresteerd den 2den September 1946."

ALGEMEEN INDISCH DAGBLAD

Speciale Editie

Bandoeng, 11 Maart 1942

DECREET van den Bevelhebber der Japansche Strijdkrachten

De onvoorwaardelijke overgave van het
Nederlandsch-Indische leger accepteerend, heeft
de bevelhebber van de Japansche strijdkrach-
ten het volgende decreet uitgegeven:

Artikel 1. De Japansche Strijdkrachten, verlangend het welzijn van het Indonesische Volk, dat dezelfde voorvaderen heeft en van hetzelfde ras is als het Japansche, te bevorderen en tegelijkertijd strevend naar een sievig fundament voor een gemeenschappelijk bestaan en gemeenschappelijke welvaart voor de heele bevolking in overeenstemming met het beginsel van gemeenschappelijke verdediging van Groot Azië, stellen voorloopig een militair bestuur in in de geoccupeerde gebieden, teneinde de algemeene rust en orde te stabiliseren en het volk spoedig in het genot te stellen van een vreedzaam leven en een rustigen werkring.

Artikel 2. De Bevelhebber der Japansche strijdkrachten heeft het hoogste gezag der militaire regeering, waarvoor ook is begrepen alle macht van den voormaligen Gouverneur-Generaal.

Artikel 3. Alle regeeringsorganen en hunne bevoegdheden, alsmede alle tot heden geldende wetten en regelingen van het voormalige gouvernement blijven voorloopig van kracht, zoolang en voorzover zij niet in strijd zijn met de uitvoering van het militair bestuur.

Artikel 4. Ambtenaren zoolwel als de gewone bevolking zijn verplicht de bevelen der Japansche Strijdkrachten en die der Japansche autoriteiten te gehoorzamen.

De Japansche Strijdkrachten zullen de positie en bevoegdheden der aan ons gehoorzame ambtenaren, evenals het leven, de rechtmatige bezittingen en de bestaande godsdiensten der goedgezinde bevolking eerbiedigen.

Ambtenaren zoolwel als de gewone bevolking hebben vertrouwen te stellen in de Japansche Strijdkrachten en dienen hun gewone bezigheden zoo spoedig mogelijk te hervatten.

Zij, die de bevelen der Japansche Strijdkrachten en die der Japansche autoriteiten niet opvolgen, de algemeene rust en orde verstoren, militaire bewegingen bemoeilijken, het leven der Japansche ingezetenen bedreigen, zich in verbanding stellen met den vijand, het financieel en economisch leven in de war brengen, bezittingen en materialen verbergen of natuurlijke hulpbronnen en installaties vernietigen, zullen echter onmiddellijk zwaar gestraft worden volgens militaire wetten en reglementen.

Artikel 5. De gulden en het militair geld, eveneens uitgedrukt in guldens, zijn wettige betaalmiddelen in de geoccupeerde gebieden.

Artikel 6. Dit decreet treedt in werking met ingang van den dag van zijn afkondiging.

De Bevelhebber der Japansche Strijdkrachten,

PROCLAMATIE

1. Daar het Japansche leger streeft naar voorspoed, welvaart en geluk van alle bevolkingsgroepen van Indonesia moeten zij vertrouwen hebben in de bescherming van het Japansche leger.

Derhalve is het onnoodig bevreesd te zijn voor de aantasting van rechten en eigendommen van alle bevolkingsgroepen zoolwel Indonesiërs als anderen.

2. Den ingezetenen wordt aangeraden geen vrees te plagen tegen het Japansche leger of een vijandige houding aan te nemen, want een dergelijke houding zou oorzaak zijn van veel bloedvergieten.

3. Men dient zich te plaatsen onder de bescherming van het Japansche leger en het dagelijksch werk rustig te verrichten in welk geval geen druppel bloed vergoten behoeft te worden.

4. De bevolking dient er wel van doordrongen te zijn, dat hij, die zich schuldig maakt aan een der hieronder genoemde misdrijven, met zijn medeplichtigen met den dood zal worden gestraft, afgezien van de groote schuld, die hij op zich laadt ten aanzien van de geheele bevolking van Indonesia.

Beoogde misdrijven zijn: 1. verzet tegen het Japansche leger, 2. het plegen van sabotage op allerlei gebied (in politiek opzicht en economisch opzicht, in bedrijven, aan wegen, betreffende de omroep en publicatie van nieuwstriecken, enz.), 3. het tegenwerken van de bevelen van Japan inzake de gemeenschappelijke welvaart van de geheele bevolking, 4. het in de war stellen van de geldcirculatie.

Het Japansche leger looft belooningen in geld uit aan dengene, die de bevelen van bovengenoemde misdrijven kan aanwijzen alsmede aan dengene, die door zijn optreden (zijn ingrijpen) aan dergelijke misdrijven een einde maakt.

De Bevelhebber der Japansche Strijdkrachten.

Het eerste decreet en de eerste proclamatie van de Japanse bevelhebber op Java, uitgegeven te Bandung.

No. 1. Juli 1942.

Maandblad "De Vrouw in het Kamp" "Brastagi"

Redactie: "De Lijdende Vrouw". Binnen het kamp naar vermogen.
Bijdragen worden gaarne ingewacht. Buiten het kamp: 10% meer.

OPWEKKING.

Sumatra is door vijand's greep omkneld,
De Jappen heersen hier met ruw geweld.
Al de vrouwen te saam in concentratie-kampen gebracht:
Een daad door heel de wereld veracht.
Onze mannen krijgsgevangenen, op een boot gezet
Waarheen? Wellicht naar een gebied door de vijand bezet.
Wat er met hen, die ons zo dierbaar zijn, gebeurt,
gaat ons vrouwen niet aan
Geen groet, geen brief, ja zelfs geen enkel contact is meer
toegestaan.

Hoe wreed de vijand ook mag zijn
Ons, Hollandse vrouwen, krijgt hij toch niet klein!
Moeten we buigen, goed, we doen het stug en kil
En 't leed, dat tot ons kwam, zullen we dragen, moedig, stil.

Met 't beeld van onze koningin voor ogen,
Kunnen we nog menige smaad gedogen.
Diep in ons binnenste weten we vast en wis:
De overwinning eenmaal de onze is!
Heel de wereld is in nood, alle mensen lijden,
't Zijn de machten van goed en kwaad, die strijden.
Hoe zwart en donker ook alles schijnen moog,
Tot U o God heffen we 't hoofd omhoog,
Want in de diepste duisternis, schijnt steeds Uw Heilig Licht,
Waarvoor al 't kwade eenmaal zwicht.

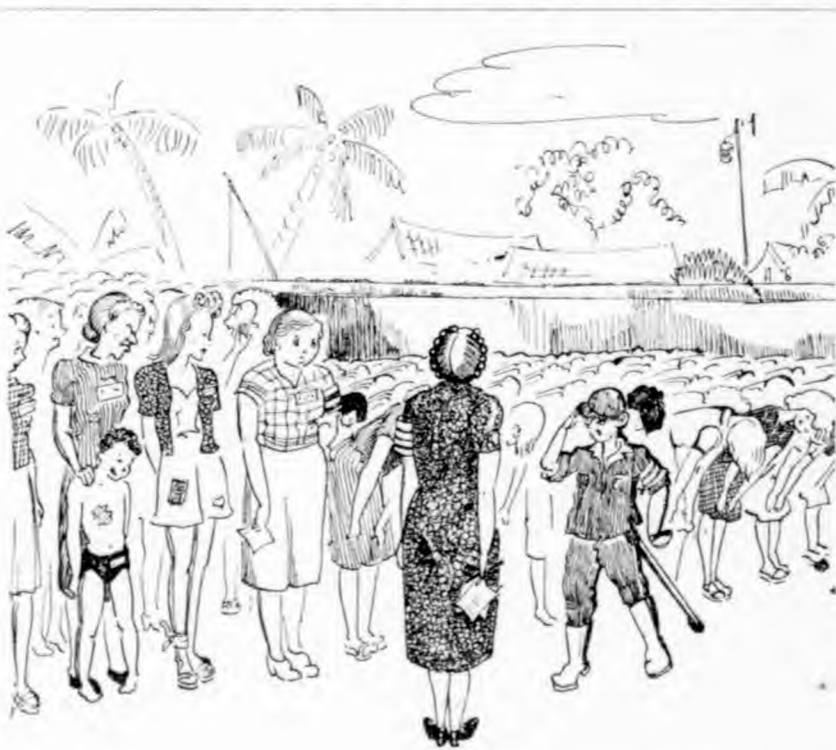
Vrouwen in dit kamp, waest flink, houdt moedig stand.
We vechten voor recht en vrijheid van ons Vaderland.
Eenmaal breekt de dag toch aan,
Waarop onze vijand smalen terug zal gaan.

Laat deze tijd ons leren,
Onze medemens te waarderen,
Helpt elkander waar ge kander, leert elkaar verdragen,
Egoïsme moet verdwijnen, niet meer zuchten of klagen.
We moeten werken, bidden en waken,
Om zo een betere wereld te maken.
Laat ons samsgezind gaan door deze moeilijke lange nacht
Totdat onze overwinning is volbracht!

Boven: De eerste pagina van het gestencilde maandblad, dat in het geheim vervaardigd werd in het vrouwenkamp „Brastagi” (Sumatra).

Onder: Tweemaal per dag gingen de mannen en vrouwen in de interneringskampen „op appèl”. Daarbij moesten zij in de houding staan en een beleefde buiging maken. Deze tekening, afkomstig uit het vrouwenkamp Adek, Batavia, is vervaardigd door mej. C. M. C. A. Augustijn.

(Reeds eerder afgedrukt in de nrs 1 en 2 van de jaargang 1946).





Geschenk voor Mevr. Roosevelt



Hoe diep het Nederlandse volk in April 1945 door het plotseling overlijden van President Roosevelt getroffen werd, is gebleken uit de talloze artikelen, die in de Nederlandse ondergrondse pers aan de gestorven President gewijd werden. Ter gelegenheid van het bezoek van mevr. Roosevelt aan Nederland in Juni j.l. zijn meer dan 100 exemplaren van Nederlandse ondergrondse bladen uitgezocht, wat de voornaamste passages betreft in het Engels vertaald, en in een kloek, in leer gebonden deel, voorzien van een gecalligrafeerde inleiding, bijreengebracht. Het boekwerk, getiteld *In Memoriam President Roosevelt - Voices from the Occupied Netherlands*, werd op Maandag 19 Juni j.l. door H.M. Koningin Juliana op het Paleis Soestdijk aan mevr. Roosevelt aangeboden.

(Foto's: M. C. Meyboom, Amsterdam)

World War II in the West

Detailed programme of the conference

This programme has no definite character and it may be necessary to make small changes. A question mark has been placed after the name of the speaker in such cases where his acceptance is for the moment provisional.

1. PLACE

The Conference will be held in Amsterdam, the Netherlands. Most of the sessions will take place in the International Cultural Centre, Vondelpark; a few may be held in the present building of the Netherlands State Institute for War Documentation, Herengracht 479, Amsterdam.

2. DATES

The Conference will be opened on Tuesday afternoon, September the 5th, 1950, at 2 p.m., and will close on Saturday, September the 9th, at 12 noon.

3. GENERAL SESSIONS

General sessions will be held in the afternoons of Tuesday, September the 5th, Wednesday, September the 6th and Friday, September the 8th. They will be devoted to an introduction, to be followed by a discussion. The following introductions will be given:

TUESDAY: Prof. ARNOLD J. TOYNBEE, London: "Contemporary history as a scientific problem."

WEDNESDAY: Prof. EDMOND VERMEIL, Paris: "National Socialism and German civilization."

FRIDAY: Prof. DEXTER PERKINS (?), Rochester, USA: "American foreign policy between the two World Wars."

4. COMMITTEES AND SUB-COMMITTEES

During the mornings of Wednesday, September the 6th, Thursday, September the 7th, Friday, September the 8th and (as far as is necessary) Saturday, September the 9th, meetings will be held of committees and sub-committees starting at 10 a.m. Two introductions will be given in every morning session, each to be followed if desired by a discussion.

The following introductions will be given:

Committee I: Military History

Prof. J. R. M. BUTLER, Cambridge: "Problems and development of the British Military histories of World War II."

Sub-Committee I (a): Army History

Lt. Col. ALLEN F. CLARK, London: "The programme of the Historical Section of the American Army."

Col. TRUTAT, Paris: "The activities of the Historical Section of the French Army."

Col. C. P. STACEY, Ottawa: "The programme of Historical Section of the Canadian Army Staff."

Major-General D. A. VAN HILTEN, The Hague: "Army historical research in the smaller countries of Western Europe, especially the Netherlands."

Sub-Committee I (b): Air History

Dr. ALBERT F. SIMPSON, Maxwell Air Force Base, USA: "Historical research as to the US Army Air Forces in World War II."

Dr JOHN M. DATER: "Historical research as to the US Naval Air Forces in World War II."

Col. SAINT PEREUSE, Paris: "The activities of the Historical Section of the French Air Forces."

Sub-Committee I (c): Naval History

Rear-Admiral JOHN B. HEFFERNAN, Washington: "The history of the US Navy in World War II."

Commander HAMEL: "The activities of the Historical Section of the French Navy."

Prof. T. H. MILO, Leyden: "Naval historical research in the smaller countries of Western Europe, especially the Netherlands."

Committee II: Political History

Prof. ARNOLD J. TOYNBEE, London: "The historical programme of the Royal Institute of International Affairs."

Dr. FRITZ T. EPSTEIN, Palo Alto, USA: "The activities of the Hoover Library and Institute on War, Revolution and Peace as far as World War II is concerned."

Prof. M. BAUMONT, Paris: "Problems of publishing the records of the German Foreign Office."

Dr. JOHN H. E. FRIED (?), New-York: "The Nuremberg trials and historical science."

Committee III: Economic and Social History

Prof. W. K. HANCOCK, London: "Problems and developments of the British Civil Histories of World War II."

Prof. F. BAUDHUIN (?), Louvain: "Research in the field of the economic history of German-occupied Europe."

Dr M. W. MOUTON, The Hague: "The Germans and the Hague Convention on Land Warfare."

Committee IV: Terror and Resistance

Sub-Committee IV (a): The history of the resistance movement

Mr. GEORGES BOURGIN, Paris: "Research in France."

Lt. Col. CAMILLE-JEAN JOSET, Brussels: "Research in Belgium."

Dr MAGNE SKODVIN (?), Oslo: "Research in Norway."

Dr SVEN HENNINGSEN, Copenhagen: "Research in Denmark."

Dr G. VACCARINO, Milan: "Research in Italy."

Lt. Col. S. P. VAN 'T HOF, The Hague, and L. DE JONG, Amsterdam: "Research in the Netherlands."

Sub-Committee IV (b): German Concentration camps and Jewish deportations

Prof. THEODORE ABEL, New-York: "Research in the United States."

Miss G. TILLION, Paris: "Research in France."

Dr PHILIP FRIEDMAN, New-York: "American Jewish research and literature on the Jewish catastrophe in the years 1939—1945."

Mr L. POLIAKOFF, Paris (or Mr L. CZERTOK, Paris):
"The Centre of Jewish Contemporary Documentation,
Paris."

Dr A. WIENER, London: "The work of the Wiener
Library."

.....: „Research in Israel."

5. INTERNATIONAL BIBLIOGRAPHY

A special session will be arranged to allow Mr F. DEBYSER,
Director of the Library for International Contemporary
Documentation, Paris, to develop a plan for an international
bibliography of World War II.

6. LANGUAGES

The official languages will be English and French. Translations
will be supplied of the introductions either in full or in summary
form. Interpreters will be present.

7. DOCUMENTARY FILMS

It is expected that during the conference film shows will be
given of a restricted number of documentary films of outstanding
importance.

8. ENTERTAINMENT

On Thursday afternoon, September the 7th a trip by boat
through the canals and harbour of Amsterdam will be offered
to the participants of the Conference. This will be followed by
a dinner in the International Cultural Centre.
(price: about fl. 10.—).

9. FINANCES

There is NO subscription fee. Participants of the conference are
expected to pay their own expenses during their stay in Am-
sterdam. If required the organising committee will endeavour
to reserve reasonable accomodation.



The Netherlands State Institute for War Documentation

Summary in English

Indonesia in World War II

In the beginning of 1946 the Netherlands State Institute for War Documentation started collecting historical material relative to the events in Indonesia from 1939 to 1945. It was hoped that this effort would in due course be taken over and continued by the authorities in Indonesia. This hope did not materialize owing to the political difficulties in the East Indies which at the same time hampered the efforts to collect sufficient data on the history of the East Indies under Japanese occupation. It is not known whether the new Indonesian Government will pay sufficient attention to the history of Indonesia in World War II. The collection built up by our Institute in the preceding years although by no means representative of every aspect of Indonesian war-time history may still be one of the most valuable in existence anywhere. In the present issue of *Nederland in Oorlogstijd* a few specimens are published.

A Japanese diary

On March 9th, 1942, nine days after the start of the Japanese invasion of Java, the diary of a Japanese soldier, Kumada Hayashinotoshi, was found near Bandung. In 1946 this diary came into our possession. Apart from daily notes made by Mr Hayashinotoshi it proved to contain the usual texts of the Imperial Rescript of January 4th, 1882, the Imperial Decree of July 7th, 1938, and the Instructions for the Battlefield d.d. January 8th, 1940 — three documents which are of paramount importance to understand the mentality of the Japanese military forces. Together with the daily notes these documents were translated into Dutch by Mr. J. C. C. W. van Nooten, at that time a member of the staff of our Institute. They were multiplied in a restricted edition of which no more copies are available. An important part of Mr Van Nooten's manuscript is now published consisting of: the introduction written by him in 1947 (almost in full); the diary notes of Mr. Kumada Hayashinotoshi (complete); and the Instructions for the Battlefield (complete). The Imperial Rescript and the Imperial Edict have been omitted.

Kumada Hayashinotoshi belonged to division (or brigade) 1303 of the fighting army (Isamu-divisions), regiment of Col. Sato, Battalion of Lt. Col. Endo, company of Lieutenant Kurobe. He was born in the village of Samatsu in a farmer's family. It is not unlikely that this family was of recent Korean origin. On the day he started making his notes (December 1st, 1941 — sixteenth year of Showa) he appears to have been drafted into the army. On January 17th, 1942, he left for Hiroshima where he boarded a Japanese transport. The transports reached Formosa on January 26th. They left again on February 3d and arrived in French Indo China five days later. On February 18th the invasion fleet destined for Java started to move „under the protection of a large number of warships”. That same day Mr Hayashinotoshi knew that Java was his destination. Mr Van Nooten quotes other examples which prove that the Japanese were not very security-minded. Lieutenant Kurobe and his men landed on Java on March 1st, 1942. Five days later Batavia (now Djakarta) was entered by them. On March 9th they marched in the direction of Bandung. „The road was strewn with corpses and enemy cars”, were the last words written in the diary of Mr Hayashinotoshi. Whether he was killed in the fighting, is not known to us. At any rate he lost his diary, if not his life.

It is impossible to summarize either Mr Van Nooten's careful and detailed introduction, or the diary, or the „Instructions for the Battlefield” which follow upon the diary notes. They throw a revealing light on the mentality of the Japanese soldier.

The division is as follows:

- p. 2: Introduction to the diary;
- p. 3: The author and his military position;
- p. 4: His Japanese script;
- p. 4: The dating of his notes;
- p. 5: The contents of his diary;
- p. 5: Origin of the author;
- p. 6: His native soil and family;
- p. 7: The author in military life;
- p. 8: His psychological background;
- p. 9: The Imperial Edict;
- p. 10—17: The Diary;
- p. 18—20: The Instructions for the Battlefield;

Other documents

The following texts, documents, pictures etc. have been added:

- p. 3: Parade of Japanese recruits;
- p. 5: Japanese pamphlet dropped over Java at the time of the Japanese invasion;
- p. 6: Proclamation issued on Java by the Commander-in-Chief of the Japanese army in one of the first weeks of the Japanese occupation;

p. 7: Japanese proclamation, posted in Batavia at the beginning of the Japanese occupation;

p. 8: Announcement issued in Bandung ordering Europeans (except Germans and Italians) and Eurasians to pay homage to the Japanese troops;

p. 9: The Emperor Hirohito inspects his troops;

p. 10: Announcement published in the Indonesian press on April 22d, 1942; containing instructions how to salute a Japanese soldier;

p. 11: Japanese propaganda: shrill contrast between the Dutch exploiters and the generous Japanese friends of the Indonesian peoples;

p. 15: Morning gymnastics in a Dutch prisoners-of-war camp on Java;

p. 17: The Burgomaster of Batavia announces that the city will be occupied by the Japanese army;

p. 18-19: Japanese broadcast urging the Eurasians to give up their pro-Dutch attitude;

p. 20: The commander of the Japanese 32d division urges deserted soldiers to return to their post (December 23d, 1945);

p. 21: Instructions from the Japanese officer commanding Camp Tjilatjap („Every disobedience will be punished by chopping off the guilty man's hands.”)

p. 22-23: Details on Japanese radio propaganda;

p. 22-23: Details on the Chronology of Indonesia and the Maritime Chronology, compiled by Col. A. G. Vromans, a member of the staff of the Institute;

p. 23: Proclamation dropped over Java by „the Government of Indonesia” after the Japanese surrender;

p. 24-26: Extracts from the sentence pronounced against the Japanese war criminal Sone Kenitji, commanding officer of the prisoners-of-war camp of the 10th Battalion and of the women's camp of Tjideng giving extensive details on the cruelties inflicted upon Dutch civilians during their internment;

p. 25: Proclamation dropped over Batavia on September 14th, 1945;

p. 26-27: Two sketches of the internment camp Lampersari (Sumatra).

As an example of the Japanese official texts published in this issue the following text is quoted here of an announcement of the Japanese resident of the Asahan district (Borneo) as it was issued by him:

See for:

Program of the International Historical Conference "World War II in the West": p. 30.

I am Lieutenant Yamada the Resident of Asahan District.

Since the 8th of December 1941 there is war between Japan on one side, and England, America and Holland on the other side.

You all know the regulations which the nations of the world have to observe when they are at war.

It has been the great kindness of His Imperial Majesty's Government that in spite of the existing war with the victory for the Japanese you were

allowed hitherto to live in your respective places and houses. But from to-day, it is by order of the Japanese Government that you all who are not helping the Government are to be interned. Thus you are interned according to war regulations ordered by the ruling Government.

Nevertheless I promise you the following:

1. The Government will supply you with food.
2. You are to take care of your own health, and any necessary assistance will be given.
3. You are to be gentle and to live peaceful among yourselves.
4. From 3.00 to 5.00 p.m. Tokio time you must keep to your room and be quiet.
5. You are not allowed outside the fence.
6. You are not allowed to listen to the Radio.
7. You are not allowed to speak and/or to communicate with outsiders.
8. You must obey your house-master who will be appointed by me.
9. The house-master may go to the market between 9 o'clock a.m. and 12 o'clock noon Tokio time.
10. You must salute anyone wearing a Japanese Army uniform.

Remember that you are interned according to war regulations; therefore you are to obey the orders of the Government as well as myself.

1st Lieutenant Yamada
Resident of the Asahan district

Present for Mrs Roosevelt

President Roosevelt's death on April 12th, 1945, profoundly moved the Dutch people. In those parts of the Netherlands which were still occupied by the Germans many commemorative articles were published in the underground press. Over one hundred of such articles collected by our Institute were bound in a large volume together with an introduction and translations of the most important passages. On June 19th, 1950, this volume was presented at the Royal Palace Soestdijk to Mrs Roosevelt by Her Majesty Queen Juliana as a personal gift. (Pictures: p. 29)

100TH ANNIVERSARY
"All the News
That's Fit to Print" —
1851 1951

The New York Times.

LATE CITY EDITION

Considerable cloudiness, seasonable
temperatures today, tomorrow,
Temperature Range Today—Max., 44; Min., 32
Temperatures Yesterday—Max., 44; Min., 26
Full U. S. Weather Bureau Report, Page 43

Copyright, 1951, by The New York Times Company.

C... No. 34,015.

Entered as Second-Class Matter,
Post Office, New York, N. Y.

NEW YORK, MONDAY, MARCH 12, 1951.

Times Square, New York 18, N. Y.
Telephone LACKawanna 4-1000

FIVE CENTS

T FARE RISE
% IN STATE;
ERS EXEMPT

and Pullman Rates
n Carriers Stand
393,200 Yearly

Y N. Y. CENTRAL

land, New Haven
o Petition—P.S.C.
t-Ride Minimum

Rural Schools Still Inferior Despite Gains, Study Shows

*In General, Teachers Are Poorly Prepared,
Buildings Outmoded, Courses Inadequate
—Communities Slowly Realizing Needs*

By BENJAMIN FINE

Despite recent improvements, the nation's rural schools are providing an inferior education to large numbers of children. The worst school conditions in the United States are found in rural areas. In general, the teachers are poorly prepared, the buildings are outmoded and the course of studies inadequate.

Nearly 3,500,000 boys and girls in the rural schools are receiving an impaired education this year because of inadequate buildings, inadequate teachers, inadequate courses of study and inadequate facilities. The survey disclosed a gradual awakening in school circles to the need for better facilities in rural communities. Many educational organizations have made a determined effort in recent years to raise the rural school standards. Large numbers of one-room school houses have been closed in favor of modern consolidated buildings. Some communities demand qualified teachers and have floated bond issues to construct adequate classrooms, laboratories and other facilities.

But the over-all picture is not so bright. Although vast strides have been made in the last half-century, the rural schools, by and large, are still the step-children of

Continued on Page 18, Column 2

SENATE CRIME HUNT OPENS HERE TODAY WITH TV BROADCAST

50 Witnesses Slated to Appear
—Erickson and Adonis Are
Near Top of Week's List

O'DWYER DUE MARCH 19

Role of Gamblers in Operation of Roosevelt Raceway to Be First Item Studied

The Senate Crime Investigating Committee will begin today a week of open hearings here, with an effort to ascertain whether gamblers have been active in the financial operation of Roosevelt Raceway, the prosperous harness-horse track at Westbury, L. I. Frank Erickson and Joe Adonis, the gamblers, will be among the first to be heard at the United States Courthouse in Foley Square.

This inquiry into the trotting track will be the opening item in the crime committee's

VAST AID PROGRAM TO BARRED GAINS SENT TO PRESIDENT

Report by Rockefeller Board
Asks New Agency to Direct
Program of Development

PROJECT IS WORLD-WIDE

Provides for Use of Billions in Private Funds, Avoids Aspect of a 'Giveaway'

Summary of the report and
Truman letter are on Page 8.

By ANTHONY LEVIERO

SPECIAL TO THE NEW YORK TIMES
KEY WEST, Fla., March 11 — The International Development Advisory Board recommended to President Truman today the creation of a great new agency that would utilize billions of dollars in private funds to develop the improvement of

Eisenhower Inspires Allies; For Atom Bomb Use in War

*General's Forthright Stand
Has a Reassuring Effect
in Europe's Capitals*

By C. L. SULZBERGER

SPECIAL TO THE NEW YORK TIMES

PARIS, March 11—General of the Army Dwight D. Eisenhower's personal influence upon the European scene has already been profound. The spirit of calm and of resurgent optimism that coincided with his lightning tour of the North Atlantic Treaty Organization capitals last January has continued to gain ground.

The forthright and realistic statements he has been making to visitors of different nationalities have had a reassuring effect, though the General is emphatic in the expression of his belief that every nation must find its way through solidly if the treaty is to provide security.

*He Would 'Instantly' Employ
Missile if It Promised
to Give Advantage*

By The United Press.

WASHINGTON, March 11—The Supreme Commander of the North Atlantic Treaty Army, General of the Army Dwight D. Eisenhower, would use the atomic bomb "instantly" if war came and he was convinced it would bring destruction to an enemy.

General Eisenhower said that Russia "really" is a global power.

FOE'S RESISTANCE BREAKS IN CENTER OF KOREAN FRONT

U. N. Push Nears Communist
Base of Hongchon—Gains
of 1 to 3 Miles Reported

OUR FINEST DINNER

The consensus of
managers and other
atives who have
ed host at our
FIELD ROOM
est 57th Street

Information regarding
meetings, Banquets
Get-to-gether
call
aza 9-2600
nquet Dept.

The Korean War

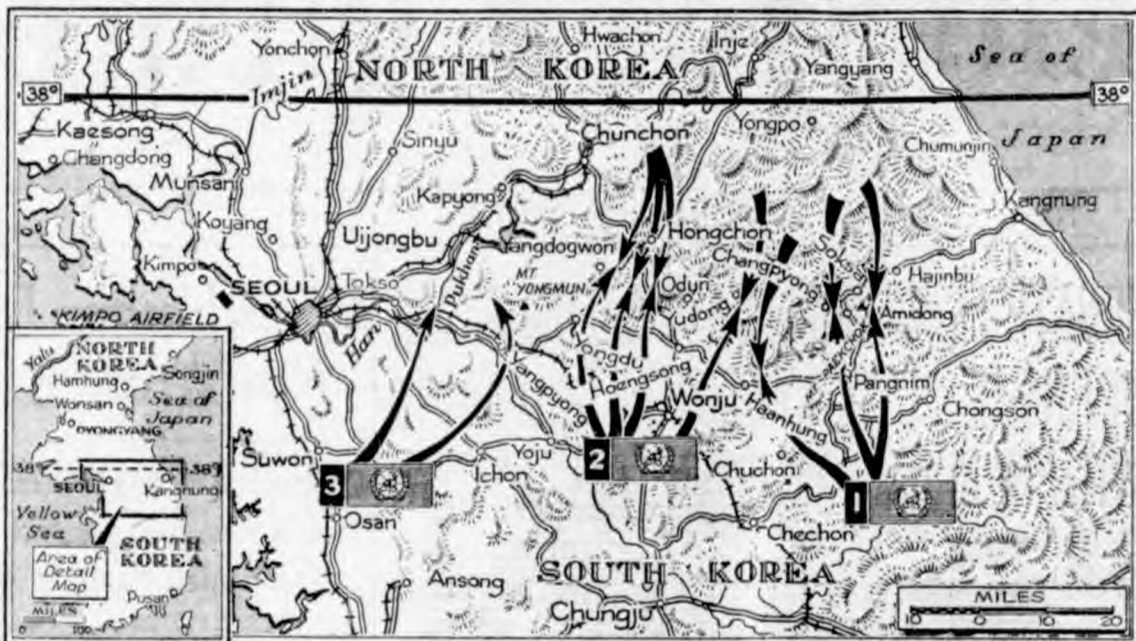
United Nations

TOKYO, Monday, March 12 (AP)—Communique 820 by General of the Army Douglas MacArthur's Headquarters, covering the period 6 A. M., March 11, to 6 A. M., March 12:

Our ground forces maintained the initiative in Korea Sunday and continued to push forward, registering significant gains along the central front. Vigorous attacks by United States, British Commonwealth, Republic of Korea and Greek troops succeeded in advancing United Nations lines more than two miles along the west-central front and in the Han River bridgehead area. On the east central front, our troops made consistent gains against light to moderate resistance as they moved steadily forward over the icy hills between Hoengsong and Pangnim. Contact was maintained in the western and eastern sectors by constant patrolling and reconnaissance.

United Nations carrier-based aircraft, supplementing the gunfire of naval surface units, continued the devastating fire on enemy railroads, highways and troop concentrations on both coasts of the Korean Peninsula. Off the west coast, aircraft from H. M. S. Theseus launched attacks against bridges and supply dumps and aided heavy units in neutralizing enemy positions on the north bank of the west of Seoul. Along the front was slowed the flow of enemy centers at Song- re kept under naval units. ed States ed ap- jet one

U. N. TROOPS DRIVE ON AGAINST REDS' CRUMBLING DEFENSE



The New York Times

March 12, 1951

Although the Communists were resisting fiercely in eastern Korea (1), they were forced to draw back north of Haanlung and yielded high ground in the Amidong area. In the center (2) United States troops forced a mountain

pass near Yudong and, with their allies, drove a pincers closer to Hongchon while patrols went beyond Yangdogwon. In the west (3) United Nations groups moved ahead north of Yangpyong and along the Han east of Seoul.

within the range of the 5 and 6-inch naval guns.

At Wonsan, farther south along the east coast, destroyers and patrol frigates took similar supply targets under their guns as the destroyers U. S. S. English and Walke and H. M. N. S. (Dutch) Evertsen laid siege to coastal supply lines in the area for the twenty-third straight

United Nations carrier-based air- w sorties covering both the action and the rear area g campaign. Clearing her freed planes of Force 77 for air ire Northeast Sinpo to ajinbu o-

vice, was completely destroyed. In coordination with the east coast bridge attacks, H. M. S. Theseus, planes attacked bridges in the west of Korea, reporting the certain destruction of one bridge span north-east of Seoul.

The heavy cruiser St. Paul, also operating in the Inchon area, laid 8-inch naval gunfire on thirteen enemy troop concentrations on the north bank of the Han River just west of Seoul.

[Earlier reports of United Nations on war in Korea, Page 3.]

North Korean

LONDON, March 11 (AP)—The Moscow radio broadcast this North Korean communiqué:

of the People's Army to Chinese volunteers on firmly holding their On the central of the Peo-

DEFENSE EXPENDITURE IN DENMARK LAGGING

Special to THE NEW YORK TIMES.

LONDON, March 11—Red tape is holding up Danish progress toward preparedness. Thus far the Danes have spent hardly 3 per cent of the 300,000,000 crown (about \$43,500,000) emergency defense appropriation voted last fall by the Rigsdag (Parliament). Plans for spending the balance are still in the paper work state.

There was reason to suppose the January visit here of General of the Army Dwight D. Eisenhower would speed up Danish defense measures generally, but this did not prove to be the case. Just now military authorities are studying defense build-up plans. They have been working on this since December.

The Parliamentary National Defense Committee now has come out and placed the responsibility squarely on the shoulders of the military experts, who, while crit-

icizing official red tape, hint they expect to have plans ready for the committee's approval "in a few weeks."

What is being discussed apparently is not only how to apportion the money among the Army, Navy and Air Force, but above all how to get the most value from it. Critics, who loudly call for results instead of alibis, say that quite apart from the obvious and paramount fact that precious time is lost it is also a ridiculous waste of time discussing bargains while the Danish currency is steadily losing more ground.

Women, 105, Admitted to U. S.

SALZBURG, Austria, March 11 (UP)—Mrs. Paulina Wilsdorf was notified today, on her 105th birthday, that she has been accepted for resettlement in the United States. The notification was given to her by the International Refugee Organization after the United States National Catholic Welfare Organization had arranged for her emigration.

Read— ILKA CHASE

in the magazine New
York is talking about—

PARK EAST

MAGAZINE OF NEW YORK

a sell-out every issue!
get your copy but quick
... 25c

Read Ilka Chase . . . read
everything about New York

ONLY PARK EAST GIVES
THIS TO YOU EVERY MONTH

*Because "they won't let you wear it unless it fits"



THERE'S ONLY ONE WAY
to improve on Hickey-Freeman
clothes. And that's by
having them fitted to you
by Kolmer-Marcus.

Michael Greenman



Universal military service makes a soldier out of the citizen and at the same time a better citizen.

—WILLIAM RANDOLPH HEARST

*The Lord is my rock, and my fortress,
my deliverer; my God, my strength, in whom
I will trust; my buckler, and the horn of my sal-
vation, and my high tower. I will call upon
the Lord, who is worthy to be praised.*
—Psalm, XVIII., 2, 3

(The text for today is suggested by Rev. W. John I. pastor, Holy Trinity Lutheran Church, Bellerose. The text will be suggested by Rev. Paul N. Otto, pastor, Avenue Methodist Church, New York.)

THE GREAT WALL OF CHINA -:- Cartoon by Burris Jenkins J



TUESDAY, MARCH 20, 1951

JUSTICE

PUBLIC SERVICE



Universal military service makes a soldier out of the citizen and at the same time a better citizen.

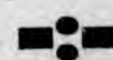
—WILLIAM RANDOLPH HEARST

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THE GREAT WALL OF CHINA



Cartoon by **Burris Jenkins Jr.**





The Way to Lose a War

FOR the third time—instead of suffering a Dunkirk disaster—General MacArthur's small army has broken up a Communist offensive in Korea.

Somewhat reinforced, but still greatly outnumbered, the gallant forces, now gallantly led by Lieut. Gen. Ridgway in the field, have **ADVANCED**.

No longer regarding occupied territory as an objective, their purpose is **TO WEAKEN THE ENEMY** by killing his "effectiveness"—and of course the slaughter has been enormous.

This kind of carnage does have a long-range strategic perspective.

Every Communist warrior slain in Korea is **ONE LESS** available to invade Indochina, or to attack Burma, or to subjugate populous India.

They can gradually exterminate in Korea alone our military manpower, and still have a savage army fairly equal to our population as of today.

Can we win a war on that basis of exchange?

Quite obviously, no!

Then why do we make the suicidal effort?

Well, we are making it because the dull-minded New Deal and the Socialistic United Nations have so ordained.

Moreover, the incompetent New Deal and the Marxist United Nations have in effect established fortifications against their own armies and in support of our enemy.

They have done so by declaring that the Yalu River is a boundary behind which the enemy may mobilize but across which our ground forces may not intrude and beyond which our bombing planes

barians HAVE A "PRIVILEGED SANCTUARY."

Defeated in Korea, they withdraw their battered divisions over the stream.

There they re-group their veterans.

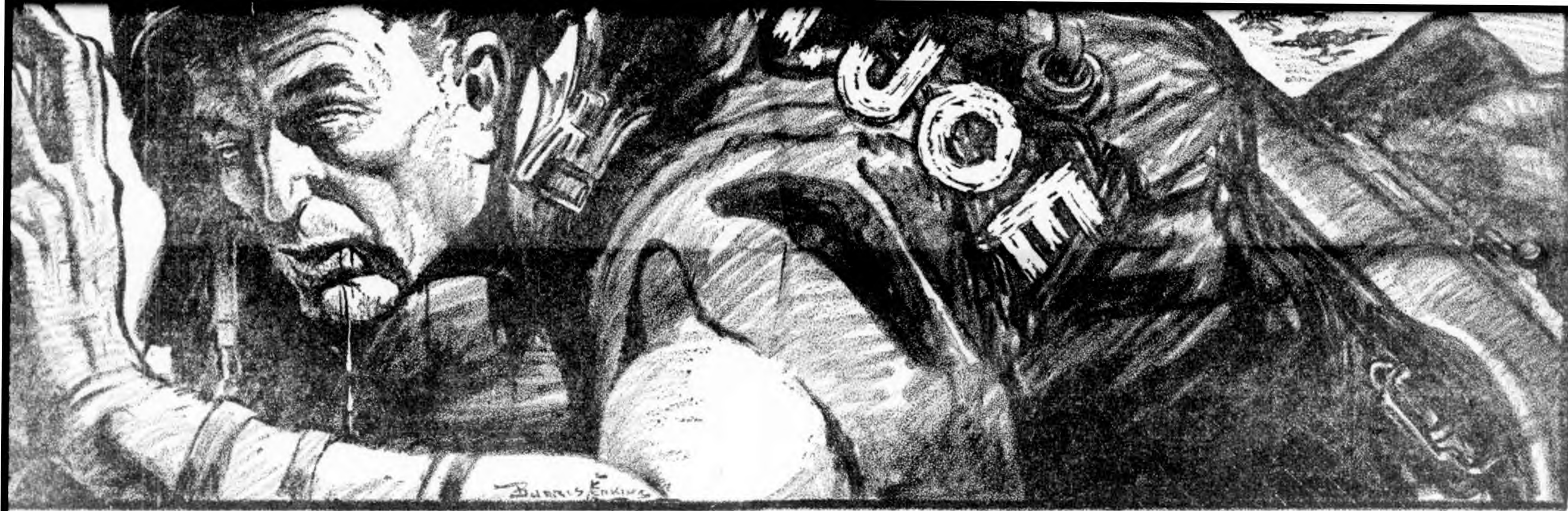
There they assemble reinforcements.

There they amass munitions, and operate factories.

And there **THE UNITED NATIONS** send them in Manchuria and Siberia, even **UNITED NATIONS** troops uselessly defeat in Korea.

In his latest statement, General MacArthur reiterated that this defeatist embargo must be lifted—or else we must taste the bitterness of defeat.

For to win the Korean war, we must use air power to erase the enemy bases and commun-



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This kind of carnage does have a long-range strategic perspective.

Every Communist warrior slain in Korea is **ONE LESS** available to invade Indochina, or to attack Burma, or to subjugate populous India.

The lethal process—repugnant to General MacArthur and his officers but imposed upon them from above—has the beguiling name of "attrition."

But one thing is ghastly wrong about it.

*For every nine Oriental Communists whom we "attrite" at least **ONE AMERICAN** becomes a casualty on foreign soil.*

And, on that mathematical basis, the hordes can exhaust us abroad.

They can gradually exterminate in Korea alone our military manpower, and still have a savage army fairly equal to our population as of today.

Can we win a war on that basis of exchange?

Quite obviously, no!

Then why do we make the suicidal effort?

Well, we are making it because the dull-minded New Deal and the Socialistic United Nations have so ordained.

Moreover, the incompetent New Deal and the Marxist United Nations have in effect established fortifications against their own armies and in support of our enemy.

They have done so by declaring that the Yalu River is a boundary behind which the enemy may mobilize but across which our ground forces may not intrude and beyond which our bombing planes may not fly.

More than once, General MacArthur has told us what this means

It means that the sluggish Yalu has become a Great Wall of China—in reverse.

The original Great Wall was erected to keep the marauding nomads of the north out of the civilized provinces of China.

But now, across the Yalu the Communist bar-

barians HAVE A "PRIVILEGED SAN-

Defeated in Korea, they withdrew divisions over the stream.

There they re-group their veterans

There they assemble reinforcements

There they amass munitions, and factories.

And there **THE UNITED NATIONS** troops uselessly in Manchuria and Siberia, **UNITED NATIONS** troops uselessly in Korea.

—
In his latest statement, General MacArthur iterated that this defeatist embargo must be lifted—or else we must taste the bitterness.

For to win the Korean war, we must use our air power to erase the enemy bases and defenses behind the Yalu.

Otherwise—unless we withdraw from Korea—we must continue our wasting war of attrition.

In that case, General MacArthur's best we could obtain is a "stalemate."

And a "stalemate" in remote Korea is **A HUMILIATING MILITARY REVEALING** the non-Communist Occident.

The Way to Lose a War

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A HUMILIATING MILITARY REVERSAL for
the non-Communist Occident.



NG for vanity are the girls when Eastertide shopping shopper tries on the Springlike look at the Herald Square store.

International News Photo.

on a plea of guilty to one count of conspiracy and 65 counts of book-making, his reward for telling the rackets grand jury what he knew of protection and police pay-offs.

International News Photo.

SANDMAN CAME . . . Growing just too, too tired while awaiting call for judging at the National Capitol Kennel Club show in Washington, **GEORGE ASH**, 7, curled up with his boxer, Alex, and dropped off into the Land of Nod. Peeking down is appropriately-named Sandy, a collie entrant.

International News Photo.

George Washington, "father of our country," was the subject of the orations as rivals from six communities met in the opening Westchester round of the 1951 tournament.

Runner-up in the contest was Lillian Kocher, youngest entrant in this season's competition. Only 13, the promising blond orator is a sophomore at the

tory classic are reported by Kenneth Banghart on the 11 o'clock news over WNBC. The broadcasts are arranged as a public service by the sponsor, the Shell Oil Company, in co-operation with the WNBC management.

Mighty glad we saved our money, it's sending us to places sunny!



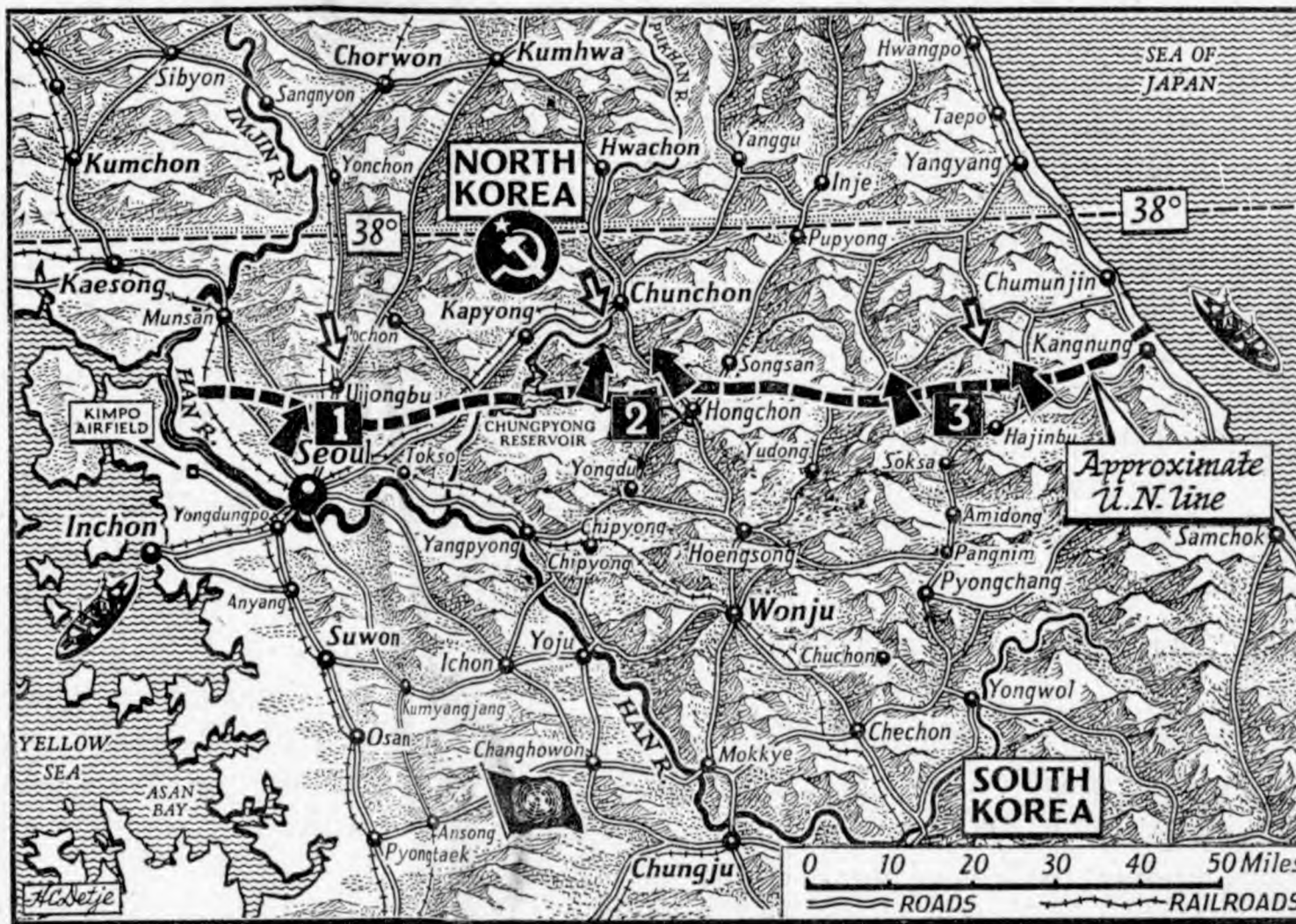
We're saving regularly at

EMIGRANT INDUSTRIAL SAVINGS BANK

51 Chambers Street
Just East of Broadway
5 East 42nd Street
Just off Fifth Avenue

2% Current Dividend
per annum INTEREST FROM DAY OF DEPOSIT

Member Federal Deposit Insurance Corporation



Map by H. C. Detje. Copyright, 1951, King Features Syndicate, Inc.

WAR AT A GLANCE . . . United Nations vanguards struck north at the Chinese Reds from 10 solid springboards in Korea, but exact locations were not revealed. As the enemy seemed determined to make a stand with their backs to the 38th Parallel, and UN troops were less than 17 miles below that line, this was the latest information available:

(1) In the west sector, American and South Korean troops encountered brisk Red resistance two miles above Seoul. The enemy put up a scrap with an Allied tank-infantry patrol south of Uijongbu. Red fire was met in the general

direction of Kaesong. Within Seoul itself, engineers were cleaning up intricately placed mines and booby traps.

- (2) Northeast of the Chungpyong Reservoir, American troops met tough opposition. The reservoir was recaptured three days ago, but that was just revealed. It gives the Allies control of the source of more than one-third of South Korea's hydro-electric power.
- (3) Allied thrusts were made in the eastern sector also, with chief fighting over toward Kangnung, eastern terminus of the battlefield.

RECORD OF MILITARY COURT

S/M OHASHI Shigeru (JAPANESE WAR CRIMINALS) 2854 2852
S/M KOMODA Yoshifumi 2849 2851
Sgt INOUE Toshihiko (Not guilty) 2855 2853
L/Cpl NARUSE Masami (" ") 2850
L/Cpl TANAKA Kazuo (" ")
Accused: L/Cpl KAWAMOTO Yasujiro (" ")
S/Pte OZAWA, Motomitsu (" ")

AWC No.....
Aust W.C. List Ser No.....

Court, Place, RABUL
Date and 20/23 March 46.
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER of Bernard a half caste and 17 natives including YOSEF, LUMBES, ETUAT ANOS, TOBIMAPA, KARUN, KUIMBU, UNGAR, MERI, JAKING, SUNGAIU, GOLUJONG, ISKAR, DUABIN and SAKI at VUNARIMA on or about 18 Sep 44.	ALL NOT GUILTY	S/M OHASHI and S/M KOMODA both GUILTY - other accused not guilty.

5
6
7
Precis of Evidence: In Sep 44 Bernard and 17 natives were beheaded at Vunarima. The accused OHASHI and KOMODA did not deny their participation in the beheading. The accused gave evidence and stated that the deceased natives had been beheaded after a summary trial for acts of sabotage and other acts hostile to the Japanese Army and amounting to war crimes under their military code. Oral evidence was given also by Gen IMAMURA, Col KINCHI and Maj MATSUDA that in case of emergency a summary trial could be convened instead of a court martial for trial of such crimes. This was supported by documentary evidence. It was alleged that the emergency justifying such summary trial was a threatened attack by other natives to rescue the deceased ones who were then held in custody for investigation of their alleged war crimes against the Japanese. The accused OHASHI and KOMODA with their superior officer Lt YAMADA were members of the summary court which convicted the deceased natives. It was alleged that proper procedure was observed by that court and that the sentences were confirmed by superior authority before being carried into execution.

Sentence LIFE IMPRISONMENT.
and Date: 23 Mar 46.

Confirmation Finding confirmed and sentences commuted to 2 years imprisonment. in and by Whom: each case - Lt-Gen V.A.H. Sturdee.

Promulgation: Confirmation of finding and sentences as commuted promulgated to both accused on 21 June 46.

Petition: Submitted 4 Apr 46 by both accused against sentence.

J.A.G.'s Report on Petition: That findings be confirmed and that sentences be mitigated.

Action on Petition: Upheld only as far as sentences concerned.

Filed in Attorney-General's Department and Numbered.....